

**MEETING OF THE
U.S. NATIONAL COMMISSION ON LIBRARIES
AND INFORMATION SCIENCE**

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Jefferson Room
Marriott Residence Inn
1199 Vermont Avenue, N.W.
Washington, D.C.

Wednesday, November 15, 2000

The meeting was convened, pursuant to notice, at 9:03 a.m., MARTHA B. GOULD, Chairperson, presiding.

PRESENT:

COMMISSIONERS:

MARTHA B. GOULD, Chair

JOAN R. CHALLINOR, Vice Chair

C.E. "ABE" ABRAMSON

REBECCA T. BINGHAM

NANCY DAVENPORT, for Dr. Billington, Librarian of Congress

JOSE-MARIE GRIFFITHS

JACK E. HIGHTOWER

PAULETTE HOLAHAN, Commissioner-Designate

MARILYN GELL MASON, Commissioner-Designate

DONALD L. ROBINSON, Commissioner-Designate

STAFF:

ROBERT S. WILLARD, Executive Director

JUDITH C. RUSSELL, Deputy Director

DENISE DAVIS, Director, Statistics and Surveys

KIM MILLER, Special Assistant - Technical

ROSALIE VLACH, Director, Legislative and Public Affairs

CONSULTANTS:

BETH E. BINGHAM

FOREST WOODY HORTON

BARBARA WHITELEATHER

PROCEEDINGS

WELCOME AND INTRODUCTION OF NEW MEMBERS

CHAIRPERSON GOULD: I would like to bring us back to the table, please. We have a lot of work to do. We are running just a little late. I would like to start, please, with introductions, and so we'll start at this corner, go around the table, and then I would ask the observers to please introduce themselves and let us know who organization you represent.

But before I do that, we have some new members of the Commission that I would like very much to introduce to everyone. We will start with Robby.

COMMISSIONER ROBINSON: That's me. My name is Donald Robinson. I am a faculty member of Boston University. I have worked on Capitol Hill for 15 years as either an administrative assistant or a staff person on the Banking Committee of the House. It keeps changing its name, but that's what it was when I was there. I am also the Director of the Washington Program for Boston University and also the Director of the Mickey Leland Internship Program for the University of Texas and Texas Southern University, among other things, but close enough.

CHAIRPERSON GOULD: We're delighted to have you.

Marilyn.

COMMISSIONER MASON: I'm Marilyn Mason, retired Director of the Cleveland Public Library. Before that I was the Director of the Atlanta Fulton Public Library and the first White House Conference on Library and Information Sciences -- Services, excuse me; this is the science group -- in 1979. Currently I serve on a lot of boards and do some consulting and make a lot of speeches and have a lot of fun.

VICE CHAIR CHALLINOR: You better tell them where you live at the moment.

COMMISSIONER MASON: Oh, right. I live in Tallahassee, a city that has been transformed. It is a very small, sleepy university town that has increased; it's doubled its population in the last week.

CHAIRPERSON GOULD: Paulette.

COMMISSIONER HOLAHAN: Well, I'm a trustee and I'm from New Orleans, Louisiana, and I was a member of this board, of this Commission, in the eighties, early eighties, and at one time I was President of the Urban Library Council, on which board I served for 14 years, and I was a delegate to the first Council on Libraries and Information Sciences. I feel like I've been around libraries since the dawn of time. I was Chairman of the New Orleans Public Library Board and the State Library Board and am currently a member of the State Library Board, and I love libraries.

CHAIRPERSON GOULD: Paulette Holahan.

COMMISSIONER HOLAHAN: Holahan.

CHAIRPERSON GOULD: Holahan.

COMMISSIONER HOLAHAN: It probably was "Hoolihan" at some point, but it's been "Holahan" for a generation or so.

CHAIRPERSON GOULD: Well, we're delighted to have the new Commissioners. They are Commissioners - Designate and we have our fingers crossed.

Beth, we'll start with you now.

MS. BINGHAM: I'm Beth Bingham from Baton Rouge, Louisiana, and I've worked for the Commission as a consultant for Sister Libraries.

MS. VLACH: I'm Rosalie Vlach. I'm on staff as the Director of Legislative and Public Affairs.

COMMISSIONER DAVENPORT: I'm Nancy Davenport. I'm the Director of Acquisitions at the Library of Congress and I'm here today representing Mr. Billington. This seat is usually filled by Winston Tabb. Winston is in Japan this week.

COMMISSIONER GRIFFITHS: I'm Jose-Marie Griffiths. I have been a member of the Commission for some time. This is my last acting year. I'm also the Chief Information Officer of the University of Michigan.

MS. RUSSELL: I'm Judy Russell. I'm the Deputy Director of the Commission.

MR. WILLARD: Bob Willard, Executive Director.

CHAIRPERSON GOULD: Martha Gould. I'm the current Chair of the Commission and I'm retired as the Director of the Wassau County Library System in Reno, Nevada.

VICE CHAIR CHALLINOR: Joan Challinor, Vice Chair.

COMMISSIONER BINGHAM: I'm Rebecca Bingham. I'm a Commissioner, retired Director of Library and Media Services for Jefferson County Public Schools, Louisville, Kentucky, and I've been President of the American Association of School Libraries, the Southeastern Library Association, the Kentucky Library Association, and I was involved in a number of libraries.

COMMISSIONER HIGHTOWER: Is this another recitation of resumes?

VICE CHAIR CHALLINOR: You notice I didn't give one.

CHAIRPERSON GOULD: Do whatever you wish to do.

COMMISSIONER HIGHTOWER: Hi, I'm Jack Hightower. I have a library card to the Austin Public Libraries. I am a Commissioner, and I hope I bring some background in government because I spent my life in government and my life in libraries.

COMMISSIONER ABRAMSON: Abe Abramson. I'm a real estate broker and basically a trustee from western Montana, a library trustee from western Montana.

MS. DAVIS: I'm Denise Davis. I'm on staff and I direct the statistics and surveys activities for the Commission.

MS. RUSSELL: Payton, do you want to start up.

CHAIRPERSON GOULD: Well, there's Nancy.

MS. BOLT: Nancy Bolt. I'm the State Librarian in Colorado and I'm the liaison to COSLA, and I appreciate being invited.

MR. NEAL: Payton Neal, liaison to the Commission from the Software and Information Industry Association.

MR. BUCKLEY: Francis Buckley, Government Printing Office.

MR. FINCH: Wally Finch, National Technical Information Service.

MR. NEEDLE: Steve Needle, National Technical Information Service.

MS. WOLFF: I'm Cindi Wolff, currently the Project Manager of the Department of Labor Library. I'm here representing ALA GODORT.

MS. WATTS: I'm Carol Watts, retired from the directorship of the NILA Libraries in Washington.

CHAIRPERSON GOULD: Welcome. We're delighted that you're here to be with us today.

ADMINISTRATIVE MATTERS:

CHAIRPERSON'S REPORT

CHAIRPERSON GOULD: The next item on the agenda, we're down to the administrative matters. If you look in your notebooks and if you also look in the folders, you will find my report ad nauseam. It's been a very, very busy time, but I don't see, if

you have it in writing, why I have to give a verbal report beyond saying that Bob and I had a great trip from St. Louis to Omaha by way of Springfield and Davenport, Iowa, and it's all in the report there.

Being able, however, to be at the awards ceremony with Beverly Sheppard, who I think is snowed in in Yurie, Wyoming, it was an incredible experience to go to Sylacauga to see a community, a very small rural community, and the support they have provided to their library system.

Also, I ended the trip again with the award ceremony to the Wiesenthal Center and Archives, and that also was an extraordinary opportunity, most particularly because I had the chance to meet and talk with Ruby Bridges, who as a six year old was a young woman who went to school every day in New Orleans with the four U.S. marshals and sat alone in a classroom with a teacher they had to import from Boston because no teacher would teach a black child in the school, and also with Dr. Roberts, Terence Roberts, who was one of the Little Rock Nine when they desegregated Central High in Little Rock, Arkansas, and a gentleman by the name of Cy Frumkin, who survived Dachau. It was an incredible day.

If you have any questions, I'm around. I can read, call me at home. Most of the talks that I gave will eventually be up on the web page.

Bob.

EXECUTIVE DIRECTOR'S REPORT

MR. WILLARD: Well, it's only about six or seven weeks since our last meeting, so there is not a lot to report. But I want to hit a couple of highlights.

We still do not have a budget. We are operating under a continuing resolution and it now looks like that continuing resolution will continue longer and until the Congress comes back in December. I haven't checked this morning to see if there's any update on that.

As I have said many times before, we happen to have our little tiny amount of money housed in a bill that is the most contentious appropriations bill that the Congress deals with. It's the Labor-HHS bill. We still are at a point where the Senate has approved \$1.5 million, which is about 15 percent, \$200,000, more than our current year. The House has only approved a continuation at our current level, 1.3.

In the conference, in the initial conference report, the Senate amount of 1.5 was recommended. So we're still hopeful that that will get through eventually. The continuing resolution basically authorizes us at last year's level, so we are at 1.3 equivalent right now, and we will continue to stay in touch as much as we can. But I always have the problem dealing with the Congress on our budget.

In terms of the metaphor that was in Martha's letter accompanying our budget to the Congress, that basically we're talking about a rowboat and they're looking at aircraft carriers and it's hard to get their attention. In fact, not only hard; it seems somewhat inappropriate.

But nonetheless, as Jeanne testified a couple of years ago, it's only a million dollars. Maybe Ev Dirksen said: A billion here, a billion there, you're talking about real money. We think a million is real money, and we have a responsibility to the citizens to use it and to use it well. So it's just as important to us as an aircraft carrier would be to the chief of naval operations.

So fingers crossed, but nothing will happen finally until, well, at the latest January 2nd, because the new law by law or by Constitution comes into effect January 3rd. So I guess they would have to have it done by then.

COMMISSIONER HIGHTOWER: Suppose they don't?

MS. RUSSELL: It could be continued over into the new Congress.

COMMISSIONER ROBINSON: On the first day of the swearing in of the new members, they just pass another continuing resolution.

VICE CHAIR CHALLINOR: What is the longest continuing? As an historian, what is the longest?

MR. WILLARD: We have operated for a full year under a continuing.

COMMISSIONER ROBINSON: The foreign affairs appropriations went on for years and years and years on continuing resolutions. They could never bring it up to the floor.

CHAIRPERSON GOULD: So that's the name of the game.

MR. WILLARD: The other major issue that has consumed time has been the nomination process. We actually have the names of five individuals have been sent to the Congress. Now, it is the eleventh hour and we recognize that. We are nonetheless asking the Senate to take extraordinary measures and get these nominations through.

The shortest a nomination has ever taken is three days, but that was Jeanne Simon and her husband was a member of the Senate. On average it's more like --

CHAIRPERSON GOULD: Six to eight months.

MR. WILLARD: -- six months to a year in some of the worst cases. Part of that is consumed in an administrative process where -- and all of the members already know this -- but after all the paperwork that has been demanded by the White House, a whole new set of paperwork is demanded by the Senate. That normally takes some time to do. In

fact, it even takes some time for the committee to get around to setting up the requests. We've seen that take months.

I can say that there was a lot of time consumed in this because I was in the face of people in the committee saying: We've got to get the paperwork right away. We went to extraordinary measures to get it out of them, and then the individual nominees were just wonderful in turning the paperwork around and we got it in in record time. That is sort of the sine qua non. They won't even think about moving a candidate's nomination forward until that's done.

That brings up a point, that one of the five candidates, Phil Bredesen, who is the former Mayor of Nashville, a leader in the library world, recognized by Library Journal as the Politician of the Year two years ago in terms of support of library issues, basically told the Senate that the amount of information they were requiring from him was intrusive. It was far more than a Senator has to file in order to run or a candidate has to to be a candidate for the Senate.

He was more than willing to submit the paperwork that he had submitted to the White House, but they have explicit -- and the complexity of it varies by one's individual financial circumstances. He's a very successful businessman who then went into public life. He is now back in private business and is still a potential political candidate in the future. He's very concerned about listing every single asset he has in nitty-gritty detail, because all that then can -- although there is a promise of confidentiality, also every single member of the Senate has the right to look at it, and they don't look at it with their own eyes, they look at it with their staff eyes. So there is a legitimate concern about a risk of disclosure of material that's meant to be confidential.

So he decided not to submit it. He has told the Senate he has withdrawn his nomination, but he's not been in contact with the President yet. So we're still hopeful that there may be some conversation between the Commission and the Senate or the White House and the Senate or the new White House, whoever that might be, and the Senate, that eventually this onerous and detailed paperwork requirement will go away.

But suffice it to say that right now the victim of this requirement is really the U.S. public, because not having Phil Bredesen as a member of this Commission would be a very unfortunate thing. When the President tapped him, I thought this was just a wonderful experience, bringing in business experience, local politics experience, and a love of libraries. What more could you ask for?

But at this point, if I were a betting person, I would say he will not be a member of the Commission, but I certainly hope that I would lose that bet.

I've been to a few places in terms of representation and speaking. I went to an event out in UCLA which focuses on the literacy skills needed for the twenty first century, in other words information literacy. They didn't call it that until they started the session and then almost everybody used that term.

Our friend Patricia Beverick was one of the speakers there. UCLA has received a significant contribution or grant from Pacific Bell and they not only had this conference, but they have a continuing program to focus on the requirements of information literacy. Therefore, I think it would be well for the Commission to stay closely tied to them because, as we've talked about at our last meeting, that is a topic that the Commission will likely be devoting more energy to.

At the conclusion of that meeting, I got on a plane and headed to St. Louis, which is where I picked up Martha, and we went to COSLA in Springfield and went to WCLIS and Mountain Plains Library Association in Omaha. Well, if you've got to be in those two cities and you have a day in between, you have no choice but to drive across Iowa, which is what we did.

It gave us an opportunity, one, to stop in Davenport and see the library run by the president or immediate past president, I can't remember which, of the Public Library Association.

CHAIRPERSON GOULD: Current president.

MR. WILLARD: The current president of the Public Library Association. Then we just serendipitously realized we were driving by the Herbert Hoover Library and visited that. Then, because he's a friend and also a former member of the Depository Library Council and someone who's interested in the works of the Commission, we stopped to see the Chief Information Officer of the State of Iowa, Richard Barn, who is doing very interesting things in terms of wiring the state and tying it closely to the educational institutions of the state.

In the beginning of October I went and talked to CENDI, which is a body that represents a number of scientific and technical information agencies within the government. Then Monday I went out to ASIS and gave a presentation there. In both cases the topic was what we will spend the rest of the day dealing with, and that is the public information dissemination assessment.

Finally, let me just say --

MS. RUSSELL: Rosalie, did you bring over copies of the annual report?

MS. VLACH: No, I didn't.

MR. WILLARD: We will have them. I say this with a mixture of pride and chagrin. We have now got our most recent annual report out. As many of you know, I'm a person who is much more focused on the doing than the reporting of the doing. But I also know that the scientific paradigm that says that if it isn't written down then it didn't happen. So we are slow with our annual report this year, this past year.

So you're getting the 1998-99 annual report today. But I'm also publicly committing -- and Rosalie is here because she carries the burden on this -- that the annual report for the year just ended September 30th will be out before it is required, and the requirement of the law says it has to be done by January 31

VICE CHAIR CHALLINOR: January 31st?

MR. WILLARD: And it will be well before that. Right?

MS. VLACH: Yes.

MR. WILLARD: But as I said, it's a matter of chagrin, but also pride. I think the report really captures the breadth of activities that this tiny agency is nonetheless able to do. We did a number of wonderful things during that period and I think this report does a good job of summarizing it. I think it is a good tool to present to people who want to know what the Commission is all about.

COMMISSIONER ABRAMSON: You didn't say anything about the possibility of recess appointments and how that works or how that might be important.

MR. WILLARD: Recess appointments. Under the law, the Constitution, the President is allowed to make appointments that would normally be confirmed by the Senate during periods that the Senate is in recess and those appointments then last until the next session of Congress is concluded.

The White House is considering that possibility with the current appointments. That would make sense, really, under both scenarios, no matter who the next President is, because even if -- if Gore was to be elected, the White House Personnel Office that has been doing the work under Clinton has a number of Gore people in it, so it would probably be a continuation and we would anticipate that immediately the same nominations would go forward to the next Congress.

But the next Congress is going to have approximately 3,000 nominations to consider. So much as we around this table think that there's nothing more important than the National Commission on Libraries and Information Science, on the Hill they might have a slightly different view.

So I've looked at the history from the time of inauguration to first nomination and it's generally 11 months to a year and a half. So whether it is a continuation of the same party or if George Bush becomes President, it would be good to have the recess appointments, because we know for sure that they would serve until the end of the Senate, which would be September-October of this next year. By that time, I would hope that replacements or a continuation of those people would have been handled.

CHAIRPERSON GOULD: Is that it?

MR. WILLARD: Unless there are other questions.

CHAIRPERSON GOULD: Are there any questions of either Bob or myself in terms of our reports?

(No response.)

NCLIS DRAFT MINUTES

CHAIRPERSON GOULD: Before we go on to talk about the minutes, and because we do not have a quorum, we cannot officially approve the minutes at this meeting --

VICE CHAIR CHALLINOR: You ought to say why we don't have a quorum, because Bobbie Roberts' wife is ill and is in the hospital.

CHAIRPERSON GOULD: That is why Bobbie isn't here. However, we believe we'll do a mail vote, so the Commissioners will be receiving that via mail.

COMMISSIONER HOLAHAN: We don't have the minutes, at least I don't, of the September meeting.

MR. WILLARD: No, the September meeting are not done.

CHAIRPERSON GOULD: No, they're not done yet.

I also want to point out that this '98-'99 year was a difficult year because that was the year in which our former Chair, Jeanne, became ill. It was a little bit tough on all of us. So this year, this forthcoming year, hopefully will be a lot easier to handle.

REVIEW, NCLIS MEETING CALENDAR

CHAIRPERSON GOULD: We are down at this point to the calendar. That's right, I almost missed the calendar. Bob, you have that. If you look in your notebooks --

MR. WILLARD: In your folder there's an update.

CHAIRPERSON GOULD: In the folder there's an updated calendar. It's bright red. We did ask that members of the Commission get back to us, please, to Bob and myself looking at the calendar. This basically deals with professional meetings. There are other things that come up in the course of the year that we will add or subtract to the meetings that you have interest in attending and then we will sit down and look at the budget.

MR. WILLARD: The most important thing that you would expect to be on the calendar is not and that is meetings of the Commission.

CHAIRPERSON GOULD: Right.

MR. WILLARD: That's, I guess the word is, intentional. It's just because until we know what the composition of the Commission is it's hard to nail down actual events, for two reasons. One is we could just arbitrarily, based on the current membership, ask about dates that are clear and then assign those dates, and if the new members come on and those dates aren't clear for them, we either go back and reschedule or we lose them. So it isn't there.

However, I should warn you that during the month of April, except that it will not be during National Library Week, there will be a Commission hearing scheduled to take place in Cincinnati.

CHAIRPERSON GOULD: Cincinnati.

MR. WILLARD: Now, the nice thing about our statute is it requires -- although it requires a quorum for the meeting of the Commission, any number of Commissioners can hold a hearing, including one. So there's no problem with a quorum for that. So the only issue is whether it will be a hearing only or a hearing and a meeting.

The dates are being worked out with the library in Cincinnati right now. We should have a date within a couple of days.

VICE CHAIR CHALLINOR: The hearing is on?

CHAIRPERSON GOULD: The hearing will be on the status of school libraries in the United States, and we will be tying that also to the issue of information literacy. So we will be working, among other things, with the American Association of School Librarians, with Patricia Beverick from the National Forum on Information Literacy. We will be reaching out to other organizations like the National Education Association, National Associations of School Superintendents, of School Boards, of Trustees. We will also be reaching out to the front line practitioners with both, hopefully, stories of good accomplishments and also the horror stories.

We will be looking at the gentleman who did the three studies in Texas, Colorado, and Pennsylvania as possibly one of the people coming to testify.

COMMISSIONER ABRAMSON: The calendar as presented shows Library Week as the first full week and then there's "Award for Library Excellence," question mark, "NCLIS meeting," question mark. So that probably won't be the first or second week?

CHAIRPERSON GOULD: We don't know. Beverly is not here, so that's really going to be up in the air until we can find out when they're going to do the Award for Library Excellence.

COMMISSIONER ABRAMSON: But if they'll do it then we'll probably have a meeting coincident?

CHAIRPERSON GOULD: Yes, but that's up in the air.

MR. WILLARD: A reminder that there is the intention, that I think Beverly spoke about at the September meeting and was warmly greeted, of the consolidation of the Museum Award and the Library Award, to take place separate from the Endowment for the Arts and the Humanities in the White House.

COMMISSIONER GRIFFITHS: I was going to ask. There is a meeting here on the September calendar, the joint meeting.

MS. RUSSELL: That's just to indicate that some time in September there will be a meeting. But again, that date hasn't been set and there was some discussion of Sturbridge.

CHAIRPERSON GOULD: Joan and then Marilyn.

VICE CHAIR CHALLINOR: No.

CHAIRPERSON GOULD: Okay. Marilyn.

COMMISSIONER MASON: I try to encourage us, even though we don't have calendars, to try to find dates for meetings. My schedule's really crazy going ahead, and if we had some times that were blocked out then I think we'd have a better chance at getting more people there, even though we don't know who they will be. Then if some of them need to be adjusted somewhat, we can think about that. But my schedule is filling up for next year.

VICE CHAIR CHALLINOR: The possibility of getting everybody here on every meeting is almost minimal. So I think you just set them.

CHAIRPERSON GOULD: We may just end up doing that.

VICE CHAIR CHALLINOR: Just set them. I mean, I'm supposed to be in Paris. Hi, everybody.

COMMISSIONER ROBINSON: Bonjour.

VICE CHAIR CHALLINOR: And I'm here for the Commission because I thought we could have a quorum. So believe me, schedules can be adjusted.

CHAIRPERSON GOULD: However, do look at August because IFLA will be in Boston. We talked a little yesterday during the orientation session for the new Commissioners about the importance of being very visible and active on IFLA. We are

also working with our sister organization in Great Britain to have a joint meeting with them either before or after, and we're still working that out.

VICE CHAIR CHALLINOR: Not in Boston; I thought in Glasgow?

CHAIRPERSON GOULD: No.

VICE CHAIR CHALLINOR: Yes. You mean having a joint meeting in Boston?

CHAIRPERSON GOULD: Yes.

COMMISSIONER ROBINSON: This would go from the 16th to the 24th?

MR. WILLARD: That's for the people who are really committed to everything and go to governing bodies and so on. The substance of the meeting is basically the 20th through the 24th. The 16th and 17th are the dates I would encourage you to think of as the possible NCLIS activity.

CHAIRPERSON GOULD: The joint meeting.

MR. WILLARD: It may not actually take place in Boston, but near. For example, it may be in Concord, New Hampshire, or something. So that if we are indeed hosting our colleagues from Great Britain and they're going to be spending a week in Boston anyhow, we might as well give them an opportunity to see some other part of New England.

CHAIRPERSON GOULD: Especially my home state.

VICE CHAIR CHALLINOR: What do you mean by "hosting"?

MR. WILLARD: The earlier discussion was that, because there is always a concern about international travel, that during the U.S. meeting of IFLA that we would host, pay for, the attendance by the Brits and during the Glasgow meeting they would pay for the attendance by the U.S.

VICE CHAIR CHALLINOR: Is that in our budget?

MR. WILLARD: Yes.

CHAIRPERSON GOULD: It is in our budget, yes. We have the proposal.

VICE CHAIR CHALLINOR: But that's not in the 25,000 that we're giving to IFLA?

MS. RUSSELL: No, no, no, no, no. That was money for the administration of the conference on development.

VICE CHAIR CHALLINOR: This money, how much is it proposed to be?

MS. RUSSELL: I don't remember the exact number off the top of my head. I have it back in the office.

VICE CHAIR CHALLINOR: Are we talking 25,000?

MS. RUSSELL: No, no.

CHAIRPERSON GOULD: No.

MR. WILLARD: It's about 2500 per person.

VICE CHAIR CHALLINOR: Because at the same time I was at the meeting there and it was not proposed, but they are asking people to think about having a person from the developing world come, and that would cost \$3,000. I proposed to Martha and Bob that we think about whether NCLIS would like to sponsor such a person to come, have that person be an NCLIS fellow at this IFLA, and then see that that person gets taken around and sees other things while they're in the United States.

CHAIRPERSON GOULD: This is something that the Scandinavian countries do. But that would also involve finding private dollars.

COMMISSIONER ABRAMSON: Denmark's sponsored hundreds, haven't they?

CHAIRPERSON GOULD: Yes.

VICE CHAIR CHALLINOR: Yes.

CHAIRPERSON GOULD: Or it was Denmark and Sweden.

VICE CHAIR CHALLINOR: Are you saying that NCLIS would have to find private dollars?

CHAIRPERSON GOULD: I'm not sure, but I think so.

MS. RUSSELL: I think it would have to be gift account money rather than being appropriated funds.

VICE CHAIR CHALLINOR: The answer to, then, the question of whether NCLIS could find the money in its own budget is no.

CHAIRPERSON GOULD: I don't think it would be appropriate.

COMMISSIONER ABRAMSON: Well, what about some of that State Department money? Is that going to exist?

CHAIRPERSON GOULD: We don't know what's going to happen with SECA.

MR. WILLARD: The State Department actually does have programs to bring people in from other nations. Typically, they have tied that visit in with ALA, but it might be appropriate for them to tie it in with IFLA.

CHAIRPERSON GOULD: So we know that -- I'm here for the rest of the week and Bob and I are going to be putting our heads together. We'll try and come up with very specific dates. But you do know that we'll be doing something in April, we'll be doing something in August. We talked about, what was it, November. When you and I were on the road we set up some dates, tentative.

MR. WILLARD: The other thing was the joint meeting.

CHAIRPERSON GOULD: The joint meeting is in September.

MR. WILLARD: Some time. We don't control that.

CHAIRPERSON GOULD: We don't control that. That's controlled by IMLS, though we give them strong advice, most particularly that they don't have it during the High Holy Days. They decided to have a meeting on Yom Kippur.

Read the minutes. If you have any corrections, give them to Bob, and then we will go ahead and send out for a mail ballot.

Judy, would you like to do the fiscal report, please.

MS. RUSSELL: I will, thank you very much --

COMMISSIONER ABRAMSON: I was just going to say, when we get down to setting meetings, I would like to have everybody come to Montana one time. So if we come up with a time and place --

COMMISSIONER ROBINSON: When do the buffaloes migrate?

COMMISSIONER ABRAMSON: Well, it's after the ballots are counted.

So if it can make sense, we can have other library people there and staff. But if we're going to have to have a meeting some time between April and August, Montana, that's a good time to come to Montana for a meeting that we have to have anyway.

CHAIRPERSON GOULD: Thank you.

COMMISSIONER ABRAMSON: May is a good month, end of May, not on Memorial Day, but close to it.

MS. RUSSELL: Before I do the financial report, for those of you who are confirmed Commissioners, there is a pay form back under Tab G. Please, before you leave the meeting today fill it out and leave it with me, so we don't have to delay getting it faxed in and chasing you down. There is also an expense form there if you need it, and if you need any assistance with your expenses you can contact Sue or me to help you with getting those forms filled out. But if you would leave the payroll form while you are here, that would be easiest for us.

CHAIRPERSON GOULD: Commissioners-Designate get expenses?

MS. RUSSELL: Commissioners-Designate get expenses, but they do not, unfortunately, get paid until they're confirmed.

NCLIS FINANCIAL REPORT AND

BUDGET REQUEST FOR FY 2001

MS. RUSSELL: The financial report is a green piece of paper that's in your folder. It looks like this (indicating), lots of numbers. It's a draft report. We're still waiting for some final reconciliation on some things from the Department of Ed, but it gives you an idea of where we ended the year.

We managed, as usual, to spend very close to the edge of the money available to us, so we believe we have a balance of just over \$1200 out of our \$1.3 million that we had to spend this year. I won't kind of go through the detail of it beyond saying that this is presented the way we've done it in the past, that the salaries for the Commissioners are broken out from the salaries for staff, benefits are together, and then we have done a subtotal including the consultants, because we really use consultants as an extension of staff. In fact, when we make our appropriations request to the Hill we ask for money for staff and then in some cases, as we've done with Woody for the government information, we choose to use that money instead for consultants. So it gives a more accurate reflection of what it's really costing to manage the staff of the Commission, which you can see is a substantial part of our discretionary budget.

We did end the year with about \$9,000 in the gift account to carry forward, and since the end of the year we've received an additional \$600 in donations, so we're starting the year with about \$9600 in the gift account. We'll get a final report.

For those of you who are new, we do have statutory authority that allows us to receive donations to the Commission. They are tax deductible donations. There are things, for instance, like the Sister Libraries teas that we hosted at the ALA annual and midwinter meetings where we cannot use appropriated funds to buy food and do that type of a reception, and guests at dinner. We had guests at dinner last night, for example, and we wished to pay for them to be there as our guests. That's the type of thing that we would use the gift account.

So we have -- a number of people gave money in memory of Jeanne. We also used the gift account last year to raise money for the reception for the National Award for Library Service, and then of course expended that out.

Martha's sister has been a most generous supporter of the Sister Libraries and of the Library Award. So we've received a number of donations from her.

So that is a source of money that allows us to do some things that we cannot do with appropriated funds.

VICE CHAIR CHALLINOR: Judy, I have a question. When we requested it in FY 2000 for 60,000 --

MS. RUSSELL: It's not truly a request. That was at that point an estimate of what we hoped to raise, because we thought we might get some outside support for Sister Libraries. So while the requests to NCES and State Department are sums requested, "request" is a little bit of a misnomer there. It's an estimate of what we expected to receive.

We did this year try to keep track of some of our major programs just so that we would have an idea of what certain things were costing us. The Sister Libraries program, at least on our preliminary tally, cost us about \$66,500 this year. We spent about \$21,500 on our international programs and about \$87,000 on our government information programs, which obviously were the major new initiatives this year. So it gives you an idea of how this money is being allocated in some program areas.

We don't typically do, because we are so small, such heavy accounting on a program basis, but we try to keep track of those three for your important information.

VICE CHAIR CHALLINOR: When you say \$21,500 for overseas or foreign, what is that? What does that include?

MS. RUSSELL: That includes the consulting that we have used for advice on international information policy with Woody. It includes international travel other than that that's accounted for under Sister Libraries and so forth. Some of that is funded out of the SECA money, but it represents what the Commission has spent on those issues. The expenses for the World Bank seminar that we participated in, for example, were part of our international program, those kinds of things.

I do have a little bit of information about what we've done year to date. I didn't make a handout for you because we're not really there yet since we don't even have an appropriation. They are trickling money out to us, kind of a week here and a few days there. We actually have had no money given to us beyond the 4th of November even though there have been some additional continuing resolutions.

It's a very extreme administrative burden for the Department of Education to handle all these kind of daily dribbling out of money, but so far this year we have been given about \$130,000, of which \$93,000 has gone toward payroll, and we've used small sums of money for about 9,000 for travel and a small amount of money for office supplies and that kind of thing. We're watching our money, of course, very carefully at this point because if major expenditures come up we need to have a little bit of that resource.

We do have the ability to petition to get additional money during any single continuing resolution. So for instance, for the continuing resolution that covers the period through this meeting we petitioned for more than what they were going to allocate us, knowing that there would be travel and salary expenses for Commissioners which were not otherwise visible to them in allocating money. They normally look at your bare minimum for salaries and then a small percentage of what you would otherwise be spending in discretionary funds.

COMMISSIONER ABRAMSON: But you said they actually, when they send it to you, they say if this isn't enough tell us?

MS. RUSSELL: There is an opportunity to ask for more. Since we're an independent agency, we have some flexibility without it has to go back through OMB. So Suzanne Randazzo, our administrative officer, and I have been looking ahead each time we're given the opportunity and sort of saying, well, we know there's this travel coming up or these other major expenses.

We were talking yesterday in the research committee that if we get to a point where we know we need to obligate some money for a research activity that can't wait, if we're still on a continuing res we'll try to petition the Department for that.

MR. WILLARD: One of the dirty little secrets that the American public doesn't understand about the continuing resolution process, it's not simply that the money is sort of doled out from Congress. It's that every single level that has to process dollars has to do an exceedingly, an excessive amount of additional paperwork, and that is therefore time and effort that could have been devoted to programmatic activities of the agency, and instead are being devoted to number-crunching.

That may be fine if you're a big agency and you have a whole department that does nothing but number-crunching, but in our case that means Judy is working on paperwork when she could be doing other things.

MS. RUSSELL: Normally our budget is allocated at the beginning of the year. We tell them ahead, in this quarter we need this much of our money, and we sort of estimate where we know the expenditures are coming in. We do a plan for the full year and put it into the computer once. What we've been doing is going to the computer every week or so and putting in tiny amounts of money and kind of managing it week to week. It is, as Bob said, a little bit tedious.

The other thing I would mention quickly as part of the administrative matters is the space planning. Those of you who were at either the orientation or the research meeting yesterday sat in what will be our new conference room. I'm having a meeting tomorrow to finalize the arrangements and accept a bid on the renovation of the suite.

I'm told that within 7 days of accepting it they will start construction and that within 25 calendar days, not work days, of starting it they will have completed the renovations. Now, they haven't met a deadline yet. So I'm throwing this out here and saying to you, this has been promises, promises, but it is our anticipation that, hopefully by Christmas and certainly by midwinter, we would expect to be in that space and have it completely renovated and available to us.

COMMISSIONER ABRAMSON: What's that do to our rent? Are we still giving up some space?

MS. RUSSELL: We are giving up some space in our current suite, so we net out I think at something like 25 percent more space. So our rent will go up slightly. The rent does not actually go up until we actually take occupancy of the new space, so we're not paying rent for it now, nor are we paying rent during the construction, but only after we move in.

We will, obviously, then have some additional expenses for furnishing the conference room and things.

VICE CHAIR CHALLINOR: How much more will we be paying?

MS. RUSSELL: You know, I meant to write that number down and bring it over with me, and I just don't remember off the top of my head. It's not a huge amount, a couple thousand dollars.

CHAIRPERSON GOULD: But the nice thing is that we won't have to be out searching for space for meetings, that we now will be able to do everything at the office.

MS. RUSSELL: Even the machinations you saw us doing this morning to get the speakers set up, had this meeting been in our own space we could have had it set up and tested yesterday and you could have walked in and sat down and it would have been working. But when we're importing to another space, we sort of have some additional logistics things.

So at least future meetings of the Commission, once the space is renovated, we'll be in our own space.

COMMISSIONER ABRAMSON: Is the personal situation of each staff member at least the same or improved?

MS. RUSSELL: Yes, yes.

CHAIRPERSON GOULD: Yes.

COMMISSIONER ABRAMSON: It works better, flows better?

MS. RUSSELL: Yes, it's a much better laid out space, in addition to getting a new conference room.

VICE CHAIR CHALLINOR: Well, the back of our offices now just face a blank wall.

CHAIRPERSON GOULD: Right.

MS. RUSSELL: So actually it will be improved.

VICE CHAIR CHALLINOR: It would be hard not to improve it.

MS. RUSSELL: Slightly more sunlight.

CHAIRPERSON GOULD: Which is always nice.

Is that it? Do we have any other questions?

MS. RUSSELL: Other than to just give you a reminder on your pay forms, and we'll try to give you another reminder before the end of the day.

CHAIRPERSON GOULD: If there are no other questions for Judy, before we go to the committee and program reports, we've had two new guests join us and I would like for you to introduce yourselves, please.

MS. BRADLEY: I'm Lynne Bradley with the American Library Association.

MS. GROSS: LaGina Gross, American Library Association.

CHAIRPERSON GOULD: Welcome.

COMMITTEE/PROGRAM REPORTS:

NCLIS 30TH ANNIVERSARY CELEBRATION

CHAIRPERSON GOULD: We are down to the committee-program reports, and we will start with Mr. Hightower. Jack.

COMMISSIONER HIGHTOWER: Well, my committee to celebrate the thirtieth anniversary, at our last meeting I reported what had been accomplished up to that point. In this last segment of time, I want to report that nothing has been accomplished. We are still on hold, I suppose, with the Carter Center. I had not had a chance to discuss this

further with Bob, but you have not heard anything, I would assume, or you'd have mentioned it.

I think one of the things, of course, is the fact that we're at the end of an administration and the real desire on everybody's part was to do something to recognize the thirtieth anniversary during the Clinton administration because he has been so much a part of it, was present and made the speech I think in the very beginning, and we wanted to at least acknowledge his connection with the life of the Commission.

Well, that's gone now and so we have, if we're going to celebrate the thirtieth year we still have a lot of months next year to do it. I think if we want to go a completely different direction, I'd appreciate the input from the other Commissioners and from the staff as to how we ought to do it.

The original, my original concept, was that -- or I thought it was that we solicit the participation of the Carter Center on a national conference, as I presented it to them, on the digital divide because this seems to be so much in the public mind and so relevant to what we're all about. But maybe that's the wrong instance. When I mentioned it to President Carter, he acted like and responded very positively and he thought it would be something that they would be interested in.

As I reported last time, he suggested that I contact the director of the Carter Center in Atlanta, which I did, and I got back a rather formal response: We appreciate your interest, it's something that they would consider.

VICE CHAIR CHALLINOR: You may have to go over them.

COMMISSIONER HIGHTOWER: This is still going on, I'm sure.

VICE CHAIR CHALLINOR: You may have to go there. I don't think we're going to get much from a letter.

COMMISSIONER HIGHTOWER: I'm not averse to doing that, but I think I better have a little more guidance from the Commission as to what I should say and what I should do when I go there, what would we really like to do, how much participation are we willing to put into it, and how much are we willing to request from them.

We don't have a budget for it, so if we're going to have to raise money, give me some guidance on that. I'm an old hand at asking people and I'm an old hand at being rejected, so whatever, I'm willing to try. But if we really want to do something special -- and I'm still of the opinion that a national conference would be wonderful, but maybe we ought to trim a little history and say, hey, we've been here for 30 years and this is what we've done in 30 years, and let it go as a matter of record and then move on.

So please give my committee your instructions.

VICE CHAIR CHALLINOR: My experience in working with places like the Carter Center is that we will provide the money, we will provide the input, we will provide a lot, and they will provide something.

COMMISSIONER ROBINSON: The building.

VICE CHAIR CHALLINOR: Well, no, no. My experience is you get more than that, especially from the Carter Center, which I think is a wonderful organization. I just don't think we should fool ourselves as to what we have to put into it. But I think it would be a great place. I'm all in favor of it.

COMMISSIONER HIGHTOWER: Do you like the concept?

VICE CHAIR CHALLINOR: I like the concept.

CHAIRPERSON GOULD: I like the concept, and this is a very personal point of view. Everything today seems to go toward technology and digitization. This takes me back to an article that expresses something that I feel very strongly about that Jose gave to me yesterday: "Librarians Ignore the Value of Stories." The world is not digitized. There's an enormous amount of information that will never be digitized and there's an enormous amount of work that's still being done in libraries across the country and throughout the entire world that does not necessarily deal with technology.

So if we are going to think in terms of something, I would like to think in terms of perhaps looking at libraries from sort of a global point of view. We keep on talking about technology, we keep on talking about digitization, and we forget this enormous body of knowledge that is still in the printed word, and we forget that an enormous percentage of people going to libraries go there for one specific reason, and that is to borrow a book -- not a CD, not necessarily access the Internet, but to physically borrow a book.

Somehow, when we talk about the twenty first century library we have to remember the book.

COMMISSIONER HIGHTOWER: I'm with you, but I'm also understanding that libraries are going to keep pace they're going to have to make CD's available, too.

CHAIRPERSON GOULD: I'm not saying we can't, but I think we need a balance somewhere. You know, we put enormous amounts of money into digitization projects and I look down the road and I say, we're spending millions to digitize, but are we remembering that in the process of digitization the cost to protect and refresh the digitized information.

COMMISSIONER GRIFFITHS: Martha, I was going to say it actually goes beyond that, because I think part of that article in particular and I think part of the case that needs to be made is that libraries are being pushed increasingly to deliver information services that relate to or access to information for specific purposes.

The whole notion of going to the library and getting a book or a CD or something, something in a different format, for the shared pleasure of reading or exposure to the content or interaction with the content is something that is being left. So the whole notion that we as a people have relied on, the concept of story and storytelling and passing on information from one generation through stories is I think very important in the whole future of this environment.

CHAIRPERSON GOULD: When I attended the five- state meeting of the Native American librarians, which is a leadership grant that was given through IMLS, one of the things that I came away with is a concept that a library is not necessarily a building, it is not necessarily digitized information, that for many of the Native American groups they see in their elders who carry an oral history, they look upon them as the library.

VICE CHAIR CHALLINOR: Yes. Well, they are.

COMMISSIONER GRIFFITHS: They are.

CHAIRPERSON GOULD: They're a living library. I think I came away thinking: Yes, yes, the oral tradition has not died out in this age of technology. If there is a way that we could do a program that would meld that together, I think it would be great.

COMMISSIONER HOLAHAN: What did you say was the focus originally, digital divide?

COMMISSIONER HIGHTOWER: Digital divide.

COMMISSIONER HOLAHAN: I don't see why that can't be worked in very readily, how one thing has led to the other and that they coexist importantly.

COMMISSIONER HIGHTOWER: Well, of course I kind of believe if we're going to talk about digital divide that we're on the uphill side of the digital divide. We're not there yet, and so if we're going to talk about the thirtieth anniversary of the Commission I think it's really good to talk about where we've been, but let's talk about where we're going.

So there's a whole lot, a great big world out there that are computer-resistant, that they say, not in my lifetime am I going to have to mess with the darn computer.

CHAIRPERSON GOULD: You and I are on the same wavelength.

COMMISSIONER HIGHTOWER: Well, my wife -- I always talk about her when she's not present. I'd never say anything when -- she has been so resistant to it, because I had my computer out in my study and she didn't even want to look at it. But our three daughters are very much into e-mail and mother was being left out, and so she found out about a telephone that she could get where she could do e-mail with her telephone and not have to know anything about printers or anything else about computers. Now she is

an e-mail addict, but she does it on her telephone. Well, that was an encouragement and we're continuing to try to move her into a full computer.

I was on the Supreme Court of Texas when we computerized the court system in Texas and it was my responsibility to computerize the court system. We have 14 courts of appeals as well as the Supreme Court that we computerized out of the Supreme Court. So we sent people, computer experts, around to the 14 courts, and I sent out out to the court in Amarillo, which I knew would be very reticent. I knew all those judges very well.

Well, after a period of time I talked with the young man who had made the trip to Amarillo and I said: Tell me how we're doing in Amarillo? He said: Oh, judge, we're doing fine; they're coming along.

I said: Well, tell me how you did it? He said: Well, I went into Judge Reynold's office and Judge Reynold said: Put it over there in that corner; I don't want to have anything to do with it. And he said: So I put it over there in the corner.

And he said: Judge, let me show you how you can play golf on that computer. All right. So he went over there and he taught all the judges to golf, and now they're completely computerized and operational. So we have to move into it.

A long way to say we're on the uphill of the computer divide, I believe, but we need to recognize where we're coming from and also talk about where we're going, and the thirtieth anniversary is a good time to do that.

CHAIRPERSON GOULD: Bob.

MR. WILLARD: Just an interesting thing. Those of you who've read Steven Covey's book, "Seven Habits of Highly Successful People," understand the concept of paradigms. He gives an example in there of how all of a sudden you hear something and your whole perspective changes, and that just happened, because I have always been thinking, and I know it was packaged this way, but the digital divide was a divide, it was the difference between those who have and those who don't have. But what I heard Jack say was something like the Continental Divide. It was something where you're going up and you eventually get to a point and afterwards. I think that's a great, a different paradigm than we've been using in this conversation. I think we ought to develop that a little.

VICE CHAIR CHALLINOR: I'd like to say that the problem will be what you can raise money for. Most conferences are on a subject that you can raise money for, and what you can raise money for in the United States right now is digitization, because it's new, it's great, everybody thinks it's wonderful. We may find that the tail will wag the dog and that we will have a conference because we can raise, unless we're willing to take it out of our own budget.

CHAIRPERSON GOULD: I think before we go any further I would like to suggest to Jack that you get back together with your committee and actually block something out on paper. I like this idea of where we have been and where we're going, and we have a three-decade span that has seen enormous technical change, so that we have actually something down on paper so that we can begin to look at blocking out a real program.

COMMISSIONER HIGHTOWER: I have Jose and we'll have to pick up a new, because we've lost -- and Joan. We'll have to pick up a new.

VICE CHAIR CHALLINOR: I'd like to authorize him to go to the Carter Center --

CHAIRPERSON GOULD: Wait, wait. Before we do anything else, Marilyn.

COMMISSIONER MASON: Who would this be for, this conference?

MR. WILLARD: That's what the committee has to figure out.

COMMISSIONER HIGHTOWER: That's a very good question. I think it ought to be for the computer industry and the library community. We ought to try to bring them together.

COMMISSIONER MASON: What about calling it a summit and bring together an invitational meeting that would have some consequence, not only to think about what's happened, but as a springboard for where we might be going into the future. Then I think that might build on what you were saying.

CHAIRPERSON GOULD: Would you like to work on the committee with Jack?

COMMISSIONER MASON: Sure.

CHAIRPERSON GOULD: Why don't you try to get together, either physically if possible or with a telephone conference, or even e-mailing, to begin to flesh out all of this.

MR. WILLARD: I believe Rosalie worked very hard to try to get a date and it just didn't work out. So we'll just redouble our efforts.

CHAIRPERSON GOULD: Rosalie would sort of coordinate. So you are now on the thirtieth anniversary committee.

COMMISSIONER HIGHTOWER: Paulette is willing to work, too. So just add Marilyn and Paulette to the committee.

CHAIRPERSON GOULD: Great. Thank you both, all three of you.

If there are no other comments, we will go on to public access to government information. Abe.

COMMISSIONER ABRAMSON: Well, Joan started a comment about considering at some point authorizing Jack to go to the Carter Center.

CHAIRPERSON GOULD: That we can discuss later.

VICE CHAIR CHALLINOR: It's good to have it said now that at some point it would be good to have Jack go physically to the Carter Library and discuss it.

COMMISSIONER HIGHTOWER: But with our subcommittee, I want us to work out something for me to present.

CHAIRPERSON GOULD: Right. At that point then, because I can authorize it.

PUBLIC ACCESS TO GOVERNMENT INFORMATION

COMMISSIONER ABRAMSON: We're going to spend most of the afternoon on public access to government information. The products that have been generated to one stage or another to this point are an executive summary, which we will have a chance to look at, which I have reviewed in minor detail, and then there's the main report itself and the appendices.

So I'm not going to talk about it any more because, as I said, we're going to spend the rest of the day on it. I would say that one of the epiphanies I've had is that I feel that when we submit our next budget we should have a line item for dissemination of our own government information in our budget.

CHAIRPERSON GOULD: Any comments or questions to Abe?

(No response.)

CHAIRPERSON GOULD: Beth, Sister Libraries.

SISTER LIBRARIES, A WHITE HOUSE MILLENNIUM COUNCIL PROJECT

MS. BINGHAM: Rosalie and I have a report included in your notebooks.

CHAIRPERSON GOULD: Beth, do you want to speak into the microphone.

MS. BINGHAM: Rosalie and I did our report and it's included in your notebook -- you still can't hear me?

COMMISSIONER ROBINSON: Turn it on, the switch on the top.

MS. BINGHAM: Rosalie and I did our report. It's in the notebook. We've been getting applications. We've extended our application process because we didn't want to leave anyone out, and had 45 applications. Most of the ones came, 30-plus, from international locations. As you know, we still have people that we're trying to match from the initial rounds.

The applications that came in from the contacts at IFLA are very specialized in academic libraries, we just happen to have an American application from the Chicago system in Chicago, Illinois, which happens to be comprised of over 250 specialized libraries and 50 academics and 500 schools. I talked to Alice Calabrese yesterday and she's agreed to work very closely with us to find matches for the specialized libraries within her consortia. So this is another form to expand the model.

We go from applications from an orthodox high school in Florida to a genealogy library in Salt Lake City to public libraries to school libraries. So we ran the gamut, and plaques are still going out. We will have a tea at the Willard Hotel on Saturday, January 13th, and we're doing our invitation list. So we need the names and addresses of people that you would like to be included so that we can really focus on the participants here in Washington on January the 13th.

Rosalie's starting to do stuff for our publication and an event in Boston for IFLA.

CHAIRPERSON GOULD: Thank you. Are there any questions for Beth? Joan?

VICE CHAIR CHALLINOR: No, except to thank Beth and Rosalie for the work they've done. We're declaring success on this. I think it's very important that the evaluation be very well done.

CHAIRPERSON GOULD: I was at IFLA with Beth and my sister, who we put to work in the booth, she came to observe and ended up working. We had an enormous amount of traffic. Beth, did we ever figure out how many people visited the booth at IFLA?

MS. BINGHAM: I would say everybody attending IFLA came by the booth at least once, and that was about 1800 people.

CHAIRPERSON GOULD: Yes, the booth was incredibly busy and well positioned. People who were Sister Libraries came to talk to us about how the program was going, and people who were interested in becoming a Sister Library.

Beth did an excellent job representing the Commission. I do have to thank my sister publicly for putting long hours in at the booth as a volunteer and supporter.

RESEARCH AND STATISTICS,

LIBRARY STATISTICS PROGRAM

CHAIRPERSON GOULD: We are down to research and statistics. Denise, Abe, I don't know which one of you are going to report.

MS. DAVIS: Well, there's a report under Tab E. It's the blue sheet, and that will summarize the status of where we are on some of the major projects.

There's one other project that I'd like to mention that has moved very rapidly in the last month and that is the report that NISO is doing to update the library statistics standard, E39.7. It's moved into a five-year review process and I'm serving as co-chair of the forum planning committee with Pat Harris of NISO and Pat Wand, who is the university librarian at American University. Pat Wand and I are co-chairing the planning committee and we're working to bring together a forum that will take place in February, mid-February. I'll be notifying all of you about that.

The purpose of the forum is to discuss the key issues associated with whether we in fact need a library statistics standard or not. NISO is in a new age. They are entertaining guidelines, best practices, and other mechanisms to keep the library community informed of what they need to be informed about regarding a variety of heretofore standards. That's moving along very, very rapidly. So it's looking good.

It is by invitation only. I will let you know now that Jose-Marie's name is on the list of invitees. It's limited to 60 participants, so it's going to be a very energized two-day meeting, and we're hopeful that at the end of it NISO will have enough grist to move forward with all of their efforts.

So that's the other point. If people have questions about the library statistics program after the discussion today, I'm happy to entertain them. But I'd rather leave more time to the discussion at hand.

COMMISSIONER ABRAMSON: We did have a committee meeting yesterday and we agreed to emphasize the issue of librarians and library services in primary and secondary schools, public and private, across the United States.

CHAIRPERSON GOULD: I also would like to remind everyone here that a lot of this information will be up or is up on our web page, so that if you just can follow along there and download whatever you wish to download.

Rosalie. LEGISLATIVE UPDATE AND PUBLICATIONS REPORT

MS. VLACH: The legislative report is rather abbreviated. Bob has already spoken to you about the appropriation. Included in that bill is the children's Internet protection, which is an issue that we have all been following. It also includes universal service for schools and libraries, which amends the Communications Act of 1993. That requires

Internet filtering in libraries, elementary and secondary schools that receive universal assistance.

An interesting note which I have put in in my summary: The Commission on Child Online Protection report to Congress of October 20th recommending against filtering, and they were quite incensed that Congress was ignoring what they're recommending.

The other issue that I have listed here is the exemption on prohibition of circumvention of copyright protection systems for access or control technologies. The final rule was issued by the Library of Congress and we may be able to get a better summary from the Library representative. It's quite complicated. I've had to read it several times. I consulted with Denise to make sure I understood it correctly.

But there is a prohibition against circumvention of technology measures that effectively control access to copyrighted works. The two classes of works that are exempted are the compilations, consisting of lists of web sites blocked by filtering software applications, and literary works, including computer programs and databases protected by access control mechanisms that fail to prevent access because of malfunction, damage, or obsolescence.

COMMISSIONER ABRAMSON: You said "prevent"; you meant "permit."

MS. VLACH: Pardon me?

COMMISSIONER ABRAMSON: You said "prevent access"; you meant "permit"?

MS. VLACH: Right, "permit" is correct, exactly.

CHAIRPERSON GOULD: I'm not sure I understand that.

MS. VLACH: I know. It's extremely complicated and I think off line is probably the better way, unless Nancy can add a little more enlightenment to it. I don't want to put you on the spot, but, as I said, Denise and I had a conversation about it to make sure I understood it. And until I look at it again, I'm not always sure that I do understand it. It's quite complicated.

I know that everyone is not pleased with the outcome, I can say that.

COMMISSIONER ABRAMSON: Can the Commission get a copy of that?

MS. VLACH: Oh, yes. I have it.

COMMISSIONER ABRAMSON: Is it one page or 12 pages?

MS. VLACH: No, it's quite thick. I'd be happy to give it to you. It's got all the background. It's on the Internet.

COMMISSIONER ABRAMSON: Oh, it is? For us or at LC?

MS. DAVIS: Library of Congress?

COMMISSIONER ABRAMSON: At LC, okay. No, I don't need a copy.

MS. VLACH: I can tell you how to get to it.

Also for the copyright, the U.S. Supreme Court is going to hear a copyright infringement case where freelance authors are suing such companies as the New York Times, Time Magazine, and so on because they insist that they have to -- they were not -- they have to be asked permission before their copyrighted or their works are put on electronic -- to resell it without specific permission is against the copyright law. So that's another thing that I thought would be of interest to the Commission.

COMMISSIONER ABRAMSON: Who won in the lower court?

MS. VLACH: It's been reversed.

MS. DAVIS: The author won.

MS. VLACH: Yes, and now it's going to the Supreme Court.

Another issue which is very important which we have been following, it's also very important to the ALA, is the Uniform Computer Information Transactions Act, which is called UCITA. It's been adopted by two states and basically what it is, the main issues are that it is part of a broader intellectual property issue. Small software companies are against it, ALA is against it. However, the large companies like Microsoft, the larger companies, think it's great.

The areas of concern for libraries and for us as consumers would be the shrink-wrapped clickable licenses, first sale, and preservation issues, as well as interlibrary loans they feel would be affected, and electronic self-help. Part of it is that when you open a shrink-wrap package just by opening it you're accepting whatever the license says you should accept, without having any interaction with the licensee. So they feel that it's taking a lot of the rights of libraries and consumers to use it.

We'd also like to mention and also in my notes is the fact that ALA is offering a free online tutorial and I have put the information on how you can sign up for that. The first session has just begun. Actually, I yesterday saw that it was up and did not have a chance to access it. So I would recommend that if you want to follow that that would be a good way to do it.

CHAIRPERSON GOULD: I would like to point out here that the information dealing with the copyright and intellectual property is an issue that we track, but we are not

actively doing anything about it because, frankly, we don't have the staff or the expertise at this time. So that we bring you this information really as information, things you should be aware of, but basically most of the work that is being done now in this arena is not being done by us, it is being done by ALA and other entities.

I wish that we were in a position to be able to be more actively involved from a policy point of view, but unfortunately, unless we get a larger budget, the biggest thing that we face in this Commission is concentrating on the things that we do well and do in the policy arena. Right now we are concentrating on access to government information.

Are there any questions for Rosalie?

COMMISSIONER ABRAMSON: If I understand this correctly, ALA was part of the task force, but they are not supporting its introduction?

MS. VLACH: No, it's not ALA. It's --

COMMISSIONER ABRAMSON: ALI, I mean ALI. ALI was part of it.

MS. BRADLEY: Which task force? No, we were not part of that task force.

MS. VLACH: Not ALA, it's ALI.

COMMISSIONER ABRAMSON: ALI.

MS. VLACH: ALI, I'm sorry, yes.

MS. BRADLEY: We are not members. The library community, the ALA, does not have a membership on that. Excuse me for interrupting, but if you want me to answer some questions --

COMMISSIONER ABRAMSON: I thought I was saying ALI, ALI, American Law Institute.

MS. VLACH: I misspoke. Yes, ALI was originally on the committee to set up the guidelines.

COMMISSIONER ABRAMSON: But at a certain point they didn't like what was going on?

MS. VLACH: They did not like it and so they withdrew. I think it's also significant that attorneys general of I forget how many states --

COMMISSIONER ABRAMSON: 26 states.

MS. VLACH: -- 26 states are against this, and several states have fought it back. But Maryland and Virginia have already signed it.

COMMISSIONER ABRAMSON: Is ALA specifically one of the library associations which is opposed to it?

MS. VLACH: It's against it. It's against it and they're very active in lobbying against it.

CHAIRPERSON GOULD: Just as a courtesy and for information, Lynne, would you like to add anything to this discussion?

MS. BRADLEY: Well, Rosalie's put it very well. Again, we would encourage you all as individuals as well as as a Commission to know about UCITA. I think a lot of your contacts in the states and the regions would be extremely helpful in these battles. If you'd like to call our office, either myself or Carol Ashworth or William Nesbitt would be glad to respond, because in Texas, for example, it's about to come up. It's been flip-flopping back and forth.

In terms of the coalitions that we are trying to get together in the different states where we'll be active, and we expect there will be about 15 to 20 states are in the coming legislative sessions in the state assemblies. But we're very much fighting this, working on possible amendments. It really does -- how to put this; I'm trying to be diplomatic here. It makes a mess of copyright law and really has a major threat.

If you couple it with the DMCA decisions, with the potential database legislation, all these things together will really lock up information and the digital divide will be related to content, not access to terminals and wires and so forth.

We'd be glad to offer other information or even a brief tutorial. We will be having a lengthy meeting at ALA midwinter on that Sunday afternoon as well, so that might be another opportunity to get involved.

MR. WILLARD: I'd like to say one thing. I am troubled by many of the aspects of UCITA, but, echoing what Martha said, the Commission has made a rational but troubled choice not to get involved in intellectual property areas because of the expertise it needs. As a Commission which is supposed to be advising the President and the Congress, it is important that issues not be addressed quickly and emotionally.

It seems to me that if we hear here one side, if we were to get involved in it we'd have to know why. There are people out there saying this is a good thing and we'd have to listen to and evaluate that. All that takes time and money and we don't have that.

But I think individually members of the Commission and people who are here attending the Commission meeting, they want to look at that issue closely. As I say, I'm troubled by some aspects of it, but I also recognize that people who produce information are not going to develop a schema that locks up information because the market just doesn't work

that way. I think we're at the beginning of a very complicated debate and people have to take extreme positions.

The Commission's responsibility might be to bring those two positions together to something that's reasonable for both users of information and producers of information, just as we have historically. But again, unless we're able to get more money out of Congress and increase our staff capabilities in this area, it's something that we just have to stand on the sidelines and observe.

COMMISSIONER ABRAMSON: In that spirit, is there an online tutorial that the proponents have put up?

CHAIRPERSON GOULD: Yes. If you look at --

COMMISSIONER ABRAMSON: No, the proponents.

CHAIRPERSON GOULD: The proponents? If there is, I'm not aware of it.

COMMISSIONER ABRAMSON: Pat Schroeder dot-com?

MS. DAVIS: She'd like it to be Pat Schroeder dot-com, I'm sure, but at the moment it isn't.

CHAIRPERSON GOULD: As individuals we urge you to seek out information on this issue. Remember, the Commission will not be actively doing anything in this arena, so that if you wish to do something locally you must do it as an individual.

COMMISSIONER ABRAMSON: And go to that session on Sunday at the ALA meeting.

VICE CHAIR CHALLINOR: Yes.

CHAIRPERSON GOULD: At the session in ALA midwinter will it be both sides, pros and cons, or just the concerns of the library community?

MS. BRADLEY: Well, there's been a lot of debate for a couple of years within the library community about this and within each state, for example, as Texas and Delaware move forward. Yes, we will be reflecting, but we're not -- I will tell you, the official ALA position is to battle or at least amend UCITA in its full breadth. I think we've had full and open debate and I won't get into other comments I could make about the larger debate and whether the public interest folks were really included in those broader debates. I think that's the kind of thing we talk about at the workshop, and we have a variety of sources of folks with a lot of information about this.

So we'd be glad to help you there and in other venues.

CHAIRPERSON GOULD: Thank you. We are now at 10:45. We are right on time. I'm very good with the gavel. We'll take a break.

COMMISSIONER ABRAMSON: I've still got a question about Rosalie's report. I know what "discount telecommunications rate" is, but I guess I don't know what "universal assistance" is.

MS. VLACH: Well, it's like the e-rate.

COMMISSIONER ABRAMSON: No, that's telecommunications discount. That's the top thing. That's the top thing. Discount telecommunications rate is the e-rate. What is universal assistance? I don't know the difference.

MS. DAVIS: You know, that fee you pay on your phone bill every month. That's part of that. It's part of that notion.

COMMISSIONER ABRAMSON: I still don't think I know what the answer to the question is.

COMMISSIONER ROBINSON: When your bill is \$25 and it then costs you \$30, that's the \$5 of the excess.

CHAIRPERSON GOULD: It depends on what phone company you belong to.

Bob says I set my watch a few minutes fast, but we will now take a break and I will bring everyone back together at 11:00 o'clock.

(Recess from 10:43 a.m. to 10:57 a.m.)

CHAIRPERSON GOULD: I would like to call the meeting back to order, please.

Before we start the next presentation on the assessment of federal government information and the future of the National Technical Information Service, there are a number of new guests who have arrived and out of courtesy I think quickly I would like to go around the table and just have everybody say who you are and then the new guests who are with us, who were not introduced earlier, if you would, please, just introduce yourself so we have an idea of who now is here.

So we will start with Sarah.

MS. KADEC: Sarah Kadec and I'm a consultant to the Commission.

MR. HORTON: I'm Woody Horton and I'm also a consultant to the Commission.

MS. DRAKE: I'm Miriam Drake. I'm Dean and Director of Libraries at Georgia Tech.

CHAIRPERSON GOULD: I'm Judy Russell. I'm Deputy Director of the Commission.

MR. URBACH: Peter Urbach, retired, pressed into service.

MR. MOLHOLM: I'm Kurt Molholm, Defense Technical Information Center and Chairman of a group called CENDI, and I'm chair for panel two.

MR. KELLEY: Wayne Kelley, chair of panel four.

CHAIRPERSON GOULD: Good, and there's a gentleman sitting.

MR. MacDONALD: Neil MacDonald, reporter, McGraw Hill Federal Technology Report.

MR. BELLARDO: Lewis Bellardo, National Archives and Records Administration.

CHAIRPERSON GOULD: Marilyn.

COMMISSIONER MASON: Marilyn Mason, Commissioner-Designate.

COMMISSIONER DAVENPORT: Nancy Davenport, representing the Library of Congress.

COMMISSIONER GRIFFITHS: Jose-Marie Griffiths, Commissioner.

MR. WILLARD: Bob Willard, Executive Director.

CHAIRPERSON GOULD: Martha Gould, Chair.

MS. VLACH: Joan Challinor, Vice Chair.

COMMISSIONER BINGHAM: Rebecca Bingham.

COMMISSIONER HIGHTOWER: Jack Hightower, Commissioner.

COMMISSIONER ABRAMSON: Abe Abramson, Commissioner.

CHAIRPERSON GOULD: We have some new guests?

MR. GUTHRIE: I'm Greg Guthrie with NTIS. I'm here for Louise Day.

CHAIRPERSON GOULD: Thank you and I think we've got everybody. Fran, did you introduce yourself earlier?

MS. BUCKLEY: Yes, I did. Fran Buckley, Superintendent of Documents, Government Printing Office. We have another guest here.

MS. HARLAN: I'm Susan Harlan with the National Labor Relations Board.

CHAIRPERSON GOULD: Thank you for being here.

MR. FINCH: Wally Finch, National Technical Information Service. ASSESSMENT
OF FEDERAL GOVERNMENT INFORMATION AND THE FUTURE OF THE
NATIONAL TECHNICAL

INFORMATION SERVICE (NTIS)

CHAIRPERSON GOULD: With that, I'm going to turn this part of the meeting over first for an introduction by Abe and then on to Woody.

INTRODUCTION

COMMISSIONER ABRAMSON: The Commission was much concerned with the issue of dissemination of information and the issue of the closure of NTIS. When the issue of the possible issue of NTIS within the Department of Commerce at least came up, we took it as among the different impeti for focusing more closely on this issue and we took it as a job of work and we had our consultant, Woody, help us come up with a plan.

At about the same time, we had contact with the Congress that kind of set a deadline for us, which is the 15th of December, at which time we'll submit a report of our deliberations and recommendations.

Because he's been in charge of this process and has brought the Commission's focus to it, I'll turn it over to Woody Horton how.

CHAIRPERSON GOULD: No, I made a mistake. It goes to Bob and then to Woody.
REVIEW AND BACKGROUND, NCLIS PLANS AND ACTIVITIES

MR. WILLARD: I will keep the brief, but I do want to take a moment to say a few things. First of all, the Commission's involvement in government information issues goes back a long way, and you'll learn more about that today. I think in many ways what we are talking about today will be remarkable in the history of the Commission. When they look back to some of the important things that the Commission has done over the years, the work that we are advancing today and which will culminate in a report due to the Congress on December 15th will be remembered for a long time.

I have been witness to, and there are other people around the room -- I see Fran, for example, is one. I have been witness to a number of legislative attempts to deal with the issue of information policy. The first time I met Fran, for example, was in 1978 when there was a task force that was focused on the revision of Title 44, the Government

Printing Act, and I've been through that at least one other major time and a couple of minor times.

So in some ways one might say why bother, it hasn't been successful in the past; there are too many vested interests. But I want to give you three sort of rough quotes.

Before I do that, I also want to say something important on behalf of the Commission, and that is a great big thank you. Woody and Sarah, they work for us. They make tremendous sacrifices in working for us because they could be doing much more fun things, I think, than struggling with this issue. But we have been blessed to have the two of them leading this from a staff point of view.

An even bigger thank you goes to all of the volunteers who have been involved in the panels and reviews and have provided us all sorts of input. We're not a regulatory agency and we don't have to take this input, we don't have to go through that process. But we know that if the Commission is doing its work right it has to reflect the various -- it has to at least consider the various perspectives from a whole host of interest groups. Those interest groups have made their opinions known and volunteers have taken that into account. So I think a thank you is very much in order.

I'm also going to be just a little bit proud for a moment. I think the Commission can take great pride in the openness with which this process has taken place or is taking place. I was just at -- I went to the ASIS meeting and I gave a briefing on it, and I think at least four or five times in our briefing I went back to our web site, because the web site has played a key role.

I don't think we've got it perfect now, not by a long stretch. I think that the whole process of using electronic tools to help intermediate the development of disparate views still is being worked on. But with the level of technology that exists now, I think it has been put to great use by the Commission in terms of always making available the next document that has been in our possession and continually sharing with anybody who's interested.

In fact, we have heard that, from a staffer at OMB, that OMB checks our web site every day to see how this thing is developing along. So I'm proud of that. As I say, we can do more, but we have done a great deal.

There are three quotations that I have in mind that I think I would encourage you also to have in mind. One, I'm not a good memorizer, but I think if I give the beginnings of it you may recognize it. It's from the Chicago architect Daniel Burnham. He said: "Make no little plans; they don't have the power to excite people." So I think you should keep that in mind as you hear the developments that we have thought through and will be putting on the table for the first time today.

The second one I thought was in Bobby Kennedy's book, "To Seek a Newer World." I've always associated it with that and I know he used this quotation over and over again, and I was trying to find out who was really responsible for it. When I looked in Bobby

Kennedy's book this morning, I couldn't find it. The quotation is: "Some people see things as they are and ask why. Others see things that never were and ask why not." I think you should keep that concept in mind, too, as you're thinking about what we'll be talking about for the rest of the day.

But the third quote is one that I had already thought I would want to bring to your attention, but it was in Bobby Kennedy's book and it was a quotation of Abraham Lincoln.

CHAIRPERSON GOULD: Why am I not surprised?

MR. WILLARD: Yes, nobody should be surprised. It was a quotation that he, pre-speech writers, he put in his annual message to Congress. Of course, he was dealing with something a little bit more revolutionary than government information, but yet I think it still is very pertinent. He said: "As the case is new, so we must think anew and act anew. We must disenthrall ourselves." I think that's extremely important.

If you look back at the history of various initiatives dealing with government information, there's always been the feeling of: My organization faces this this way and they've always done it this way, and let's keep it that way; it's worked so far; let's not tamper with it. That's human nature. I'm not critical, but I think we've got an opportunity.

The case being new is the case that technology changes the whole game. What we are able to do is to build on that marvelous tradition that we have that we the citizens own the information that the government has produced. That's a marvelous tradition. Overlaid on top of that are the capabilities that technology gives us. So I think the case is new and it is time for us to think anew and act anew.

What we will hear today, I think you will be very pleased to see, first, the amount of work, and secondly the amount of thinking that has gone into that.

With that, let me turn it over to Woody.

CHAIRPERSON GOULD: Not quite, because it made me think of something. I was given a gift by a very good friend and the gift had a little saying: "If you can see the invisible, you can achieve the impossible."

Woody, you're on.

MR. HORTON: Thank you. That sounded like a rather --

CHAIRPERSON GOULD: Mike.

(Discussion off the record.)

MR. HORTON: That sounded like a rather momentous, challenging introduction there. I hope I can fulfil those expectations.

CHAIRPERSON GOULD: We have our doubts.

MR. HORTON: I would like to start also by echoing Bob's comments about thanking all of the people who helped with this study. I must say, in my career with the government I have never been in a community where I have received such widespread, willing support from so many people who have come forward and said that they wanted to give us a paper, research report, do something for the sake of this study. Not once were we turned down, and we are very appreciative of that.

Secondly, I'd like to thank my strong left arm here this morning, Sarah Kadec, whom I've known for 30 years going back to EPA. I don't think Sarah has ever seen a piece of paper that she couldn't improve. If there's a hole in it, something's missing or incomplete, believe me, she'll find it. So you might want to keep that in mind before she retires completely out of sight down to Williamsburg.

Thirdly, I'd like to thank our four strong panel chairs for a very complex and difficult job. After all, they had to bring together many, many stakeholders with very diverse viewpoints and try somehow to harmonize those viewpoints and make sense out of it.

What I proposed to our Chairperson and Executive Director this morning is that we follow a process whereby we first listen firsthand to our four panel chairs so that we can get a little better feeling of the process that they went through and the results that they achieved. Then we'll break for lunch, but before we break for lunch I need to hand out to you some key documents, which I emphasize are in draft form, are incomplete, have not yet been fully edited, but I think you may want to take a look at during the lunch break, so that this afternoon when we start in again to discuss it you'll be more fully informed as to what the Commission's thinking is in terms of its final report.

We have a very tight timetable still. As you know, the Congress has asked that we produce a final report by December 15th. So, backing up from that date, we must publish our draft report on the web for public review and comment. We hope to do that right after Thanksgiving. So the documents we're handing out today, we would much appreciate it if you could look at between now and Thanksgiving and give us your feedback and comment on these draft documents. Then we will try to fold in all that feedback before we post a revised final report and executive summary on the web, and then we'll get feedback from the public, and maybe around December the 9th or 10th, we will start to produce the final report.

So that briefly is an overview of the process that we propose to follow. With that, I'd like to turn to our panel chairs one at a time and begin with our first panel. Peter Urbach, former government official, very familiar with NTIS, was asked to chair that panel. We asked him specifically to look at the National Technical Information Service and come up with some recommendations as to how to strengthen that organization.

Peter. PRESENTATIONS: FINDINGS, CONCLUSIONS AND
RECOMMENDATIONS: 1. NATIONAL TECHNICAL INFORMATION SERVICE
(NTIS)

BUSINESS MODEL

MR. URBACH: Thank you.

Woody asked for some comments on process.

COMMISSIONER ABRAMSON: Why don't you pass that microphone to him. Thank you.

MR. URBACH: Thank you.

Woody asked for some comments on process. We had 11 panel members from a variety of backgrounds. We did not have a single face to face meeting. Some of us have never met each other. All of our work was done by e-mail exchange. It was a little difficult at first, but I think we all got the hang of it and it went rather well. I suspect that will be the future for many of the panel or committee type jobs that the Commission has to do.

As an aside, I would urge investing in some software that makes that a little bit easier. We used plain old e-mail. There are more sophisticated ways of doing that, to organize that and support us in doing that.

As to this presentation, this is really a summary of the panel's report.

(Screen.)

The subject was reforming the NTIS business model for the information age. First question, what is a business model. We had a long discussion on business model in business versus business model for NTIS. What we really were talking about for NTIS are the sources of funding. There are three sources of funding: appropriations, sales income, and other agency reimbursements.

In the old NTIS model, all three sources of funding were available. The current model uses only the second and third, appropriations having fallen by the wayside.

(Screen.)

What went wrong with the NTIS business model? Why is the NTIS in trouble? Well, appropriations were eliminated and all operating costs then had to come from sales income.

In addition, quite a separate issue, lower report income, dropped by 35 percent from '93 to '98, as a result in part of external factors, shifts in research funding, less government funding, more private sector funding, the result being fewer report inputs to NTIS.

(Screen.)

The growth of agency web sites providing free report access to the public, which obviously resulted in lower report sales to NTIS. Why buy it if you can get it for free? Actually, report sales fell by 43 percent from '93 to '98 as a result of both of the two above bullets, lower report input and competition with the agency web sites.

The obvious results were financial problems and potential deficiencies. In part in response, NTIS became increasingly entrepreneurial to find ways to survive and became increasingly aggressive in its competition with the Government Printing Office Superintendent of Documents. The Commerce Department reacted in August of '99 with a proposal to close NTIS and transfer its archives to the Library of Congress. It did so because of the financial difficulties, the expected losses, and some political issues with respect to the entrepreneurial deals: Was NTIS competing with the private sector?

The rationale on the part of the Department of Commerce was agency web sites make available the reports previously made available by NTIS and therefore there's no need for NTIS.

(Screen.)

The first question: Do agency web sites really eliminate the need for NTIS? Agency web sites that make report information available are good for the agency constituency, but not necessarily for the non-insiders, the general public. The contractors at DOD know how to get access to the DOD reports on the DOD web site. The general public researcher does not necessarily know.

Agency policy considerations are involved. What determines whether or not an agency puts its reports up on its web site or, more importantly, which reports it puts up? Agency policy definitely gets involved. There's no assurance that everything will be up on the agency web site. There's no assurance that what goes up stays up. It can easily be taken down for a variety of reasons. Content tends to move from site to site within the agency as agencies reorganize, change, shift their priorities. What about access to content that is not web-ready? The agencies can put up web-ready content, but other content doesn't get up.

(Screen.)

Conclusion: Agencies making reports available through agency web sites is very good, but it's not really enough. It doesn't assure public access. What does a web search miss? To begin with, you miss documents that are not on the web. That would be most pre-'97

documents. That would be all non-electronic documents, even current documents that are not in electronic form, documents on the web but stored in image or pdf format, and that happens to include everything scanned by NTIS since 1997 and still currently scanned today. It's there on the web. You can get it if you know where to look, but you're not going to find it through a search engine or any indexing scheme.

Documents where the exact key words used in the search do not appear in the document text, you're going to miss those. A common problem: When a search produces thousands of hits and the hit you really want is number 957, that's as good as a search not finding it because you're not going to go through all of them.

I picked this up from a presentation that was on the NCLIS web site. It's attributed to Nature '99 and it says that search engines only index 16 percent of the web. I find that hard to believe, but if that's true that certainly means that a web search misses most of the web.

(Screen.)

Documents removed from the web site obviously are not going to be found in a web search. So there is an awful lot that, if we seek to rely on the web as it is today, we're going to miss an awful lot and, more importantly, the public user is going to miss an awful lot.

(Screen.)

Other potential solutions that have been suggested and tried: The Government Information Locator System, GILS. That turns out to be not widely implemented throughout the government, in part because of a wide latitude in applying record format, and the result is lack of consistency or predictability of results. You really can't rely on it to find what you want.

Firstgov.gov, brand new, a good start, but the initial analysis of it is that it has extremely poor search precision and again you're not going to find what you want.

Furthermore, both of these approaches are limited to web content. What's not on the web won't be found and what is on the web may not be found. These are the items covered in the previous slide.

(Screen.)

Therefore, the growth of the web, agency web sites with free agency documents, or central finding services such as GILS or Firstgov do not eliminate the need for NTIS.

(Screen.)

What, then, is the need for NTIS in the information age? First, providing consistent indexing and cataloguing of scientific, technical, and engineering information, to aid in its retrieval, and to assure that you find what you want to find; providing a single, consistent database of STEI so that there aren't 20 different indexing schemes and 20 different vocabularies throughout the whole system; providing assured permanent access to content, access to content in non-electronic form, as well as the electronic form. This may be older content not in electronic form or it may be users who prefer not to use the electronic formats.

Joint ventures with the private sector if done properly, an important point. Finally, reimbursable services provided to other agencies. These are the functions that NTIS has to perform in spite of the fact that there is an Internet and that agency content is available on agency web sites.

What does that lead us to in terms of the operations of NTIS?

(Screen.)

It has to provide searchable access. This is a traditional function that NTIS has always provided. NTIS processes the content from smaller agencies and it integrates that with the content from the larger agencies that do their own processing, DOD, DOE, NASA, and some others, and you wind up with the comprehensive NTIS database. That is the mechanism to search and find the information. Absent NTIS, this doesn't happen.

Pointing to documents on the web. This would be a new function. NTIS hasn't done this in the past, but if an NTIS report, a DOD report, is available on the DOD site, an NTIS user ought to be able to find it on the DOD site by going into the NTIS database.

Backup distribution. Backup distribution has always been a role for NTIS, but now it's a more complicated and new role in that now NTIS has to assure that what was on an agency web site and goes away still has to be available on the web. So there's a backup function on the web that NTIS has to perform. This has to be done in print and microfiche and electronic, which are the traditional modes, and NTIS web site for content, which is the new mode.

Finally, permanent access, which again is traditional and new, traditional in paper and microfiche, new on the web. I make a distinction between backup distribution and permanent access in that some permanent access will be really archival in nature and won't be readily accessible. The user will have to work harder to get it if it's very old and very little used. But the backup distribution is for stuff that is more current and is used and will have to be readily accessible.

(Screen.)

Going on with the same point, we're now proposing free web access to the NTIS database for locating NTIS reports. This is new. NTIS currently licenses its database to those who

make the search service available and receives a royalty in return. This would be free access on the web, on the NTIS web site. The database should point to agency reports on agency web sites for free access on those agency web sites.

A persistent URL, or PURL, system has to track the agency content as it moves from agency web site to agency web site.

An NTIS web site should provide free access to report content when it is no longer available or not available on the agency web site. This again is a new concept. At present, NTIS does not make content available for free.

Finally, continuation of the paid access to print, microfiche, and other media.

That leads us then to a new business model for NTIS, in which the appropriation is added back into the mix of sales income and other agency reimbursement. This is a return to the old NTIS business model, which provided appropriate funds for input processing functions. Sales prices would be limited to recovering incremental costs. That means no profit to cover inputting processing functions since these would be paid for by appropriated funds.

(Screen.)

To continue with the business model, we would provide appropriated funds for NTIS' what we call public good functions, which permits access to the collection -- which permits public access. These are collection and acquisition of the reports, indexing, abstracting, and cataloguing of the reports, scanning, microficheing and archiving of the reports, creating and maintaining the database, including the PURL system, to point to agency servers, mounting the full text on the NTIS server for public access, maintaining an archive for permanent access.

All of these functions, which we call the public good operations necessary to provide public access, should be paid for by appropriated funds and not have to be covered by sales, report sales income over and above the actual cost of providing the sale.

Now, what does it all cost?

(Screen.)

NTIS estimates that this could be done for \$5 million per year plus a \$1.7 million one-time startup cost. This represents less than 15 percent of the current NTIS budget. To try and put it in more absolute terms, roughly one-fiftieth of one percent of the R and D costs required to produce the reports. In other words, for a minuscule fraction of the cost of doing the research, you can assure continued public access to the information.

(Screen.)

The rationale: public benefits from access to the reports. Agency processing and public access at almost all the other agencies are almost all funded by appropriated funds. When DOD puts a DOD report on the DOD web site and John Q. accesses that report and downloads it, that's not free. It's all paid for with taxpayer funds, appropriated funds to the DOD.

Why should those funds for that purpose be appropriated to the DOD when the very same function performed by NTIS, the current practice is let's get that back in the sales price of the report? It makes no sense at all.

Well, I've covered the rest of the slide, I think, in what I've said.

(Screen.)

Now, if we go this way, that new business model, namely adding appropriations, solves a number of problems. Specifically, sales costs are now tied to sales income. If you sell a report, you take in the money for the cost of selling the report. You no longer have to take in the extra amount of money for processing and cataloguing a whole bunch of reports, and therefore you get away from the notion that there's not enough money to do the job because sales income has gone down. Public good functions continue regardless of sales declines.

That eliminates the financial difficulty that NTIS got itself into in the last couple of years. Furthermore, the public has assured free access to most reports on a permanent basis. Incentive for aggressive deals declines and Commerce's problems with NTIS should be eliminated.

Now, here are some problems that the new business model does not solve. It doesn't solve the conflict between U.S. and SODOC's, GPO. It doesn't solve conflicting proliferation of access points, incomplete coverage in depository libraries, lack of strong authority for implementation of governmentwide policies, inconsistent policies and directions for agencies, and a growing proliferation of central finding tools and services, like the GILS and Firstgov that we discussed earlier.

(Screen.)

The solution to some of these other problems might well be a possible reorganization of government information, combining SOD with NTIS into a new organization, possibly combining all the other relevant central and non-mission specific information activities into that same agency. Possible candidates: first, of course, NTIS and SOD, and then part of LC, OMB, NARA, central locators and various advisory boards and panels.

(Screen.)

That leads us then to the recommendations of the panel, and they are: First, to reject Commerce's proposal to close NTIS.

NTIS should continue in the Department of Commerce.

The business model should be modified to include appropriations. Appropriations should cover the public good function of NTIS.

There should be no change in the scope of the collection, no royalty charges, prices based on incremental costs. Scanning should provide full electronic content. Electronic files should be transferred routinely from other agencies to avoid excessive scanning costs and therefore increases in the appropriation.

The database, the NTIS database, should point to other agency web sites. There should be a PURL system to continue to track the location of those documents on other agency web sites.

NTIS web sites should provide free access to report content when not available on agency sites, permanent access to report content, although for older reports it may not be necessary to maintain them on a web site -- you may want to keep them in some kind of storage and put a charge on them when they are accessed -- continue to sell reports in paper, microfiche, and electronic form, with prices based on incremental costs.

Commerce should lift the present hiring freeze, which hamstrings NTIS' operations.

Finally, NCLIS and Congress should consider combining SOD and NTIS in possibly a broader reorganization with other federal information activities.

MR. HORTON: Thank you very much, Peter.

2. INTERNAL GOVERNMENT REFORMS

MR. HORTON: I suggest that we hold questions until later to give the other panel chairs a chance to speak. Panel number two was chaired by Kurt Molholm, who is the Administrator of the Defense Technical Information Center in the Department of Defense. Kurt was requested to look at internal government agency needs for government information, in short the whole area of sharing government information between agencies.

Kurt also for many years has been heavily involved in CENDI, a consortium of, I don't know, I've forgotten, 13 or 14 mission agencies with heavy scientific and technical information missions.

Kurt.

MR. MOLHOLM: Thank you very much.

There is a story that a young comedian many years ago by the name of Joey Bishop went to perform on a stage following a tremendous performance by Danny Orat Young. He came after this fantastic performance and this young comedian said, whatever he said, I say, and go off the stage, and he walked off.

Well, what I'm saying is I agree with everything Peter said, but we have some things to add to that. For one thing, the charge was more than just talk about NTIS. The second thing -- this is the slide.

(Screen.)

That's right, technology is wonderful.

MR. URBACH: That's a very sophisticated program, to quit after mine.

MR. MOLHOLM: That's right.

The reason that I have things to add to what Peter had is the fact that our assignment on panel two is to take a look at the federal agency requirements. As for process, we had about 18 folks on panel two. We did everything by e-mail. I tried to use a more sophisticated electronic collaboration tool, had trouble putting that in because my organization has some firewalls and others do, so you had troubles in and out.

But we did use e-mail, and my basic approach was to draw and write a straw man, send that out for comments. We did have a face to face meeting in the middle of the process and then submitted hurriedly, as I'm sure all of us did.

(Screen.)

I'd like to just talk a little bit of history because I want to make two points. We have been in the knowledge management business for 5,000 years at least. It first started when the Sumerians invented written language. Now, there may have been written language before that, but there wasn't any permanent archiving, so we don't know that, which is a lesson for archiving.

But until Gutenberg introduced the art of printing in about 1452, there was no really significant change. Gutenberg opened it up to the public, among other things, but it also had a way of causing a second exploration of methods, which added to what I call the second information explosion.

The point is we are just beginning the third one and it's a fundamental change in human communications, which means two things. First of all, we have to do things differently, so we have to look at things differently. Secondly, all the things that preceded it still are in existence. So that has to do with archiving and other things. But the point is, it requires us to look at things differently.

(Screen.)

While we talk about new modern technology for modern things called knowledge management, actually it's not really new. We're just adding new technologies to do the same thing.

The point is that, and sometimes it's lost, is government information is basically created for government organizations to do their job. It's not created a priori for the general public. Not that there's any objection to it, but it's not written normally for them. It's normally intended, some for public consumption, but some is developed strictly for the use of government organizations to do their mission. Peter talked about the mission organizations.

Also, it comes in many different forms. Particularly, this is important now that we have the electronic environment, because no longer will we necessarily have just straight text or straight audio presentations. We can have combinations and documents that can never be in any form but electronic form.

Well, what type of government information do you have, because one of the things I have seen in my entire career is information can't be very well defined, but its functions can. One of them is consumer information, because government does create documents specifically for the consumer: health, how do you cook this, etcetera. There's a point to be made that they're written for that audience, in an understandable language for that audience.

We have citizen information. Perhaps the most common of that is the Congressional Record, which is created for Congress to follow its own work, but for the American public to understand and take action.

But much of government information is operating or administrative, for the organizations to do their own functions. A specific type is scientific and technical information. There is no difference really in the definition of scientific and technical information than STEI that Peter used. STEI is a defined area within OMB Circular A-130. The American Technology Preeminence Act brought the STEI in.

But the point is, not all government information is public information, but it has the same problems of sharing. One of the problems that we sometimes forget, that one of the consumers of NTIS information are other government organizations.

(Screen.)

I'm just going to tell you a little bit on my particular area. Within the Department of Defense, the organization that I am steward for, information comes from many different places, as it does throughout the government. But it all comes to DTIC so we can do some things to organize it and to make it available for the broader range, and then we

supply it to a whole lot of different organizations, who by the way are also some of the inputters to it.

One of the people or groups that we give it to is the National Technical Information Service. Everything that we have that is in the public domain is sent to them so that they can have a combination with our sister organizations.

The general public has entered into our equation only in the past few years, and we do have web services now that we can make available in various different levels, those that are private and those that are outside and therefore publicly available.

(Screen.)

The process is basically this. For not only ourselves but the Department of Energy, the Office of Scientific and Technical information, CASI is NASA, the organizations themselves, the writers, the organization responsible for the research, produces the report and decides on its distribution. They are sent to the central organizations of those three Departments in this particular case, who do the abstracting, the cataloguing, the indexing and the announcing, and that can be made publicly available. They send it to the NTIS.

We did not need the American Technology Preeminence Act to do that, because we were doing it long before the Act was produced.

(Screen.)

Just to talk about CENDI, in the sixties there was a very great beginning of an interest in science and technology, particularly with Sputnik, and one of the things that was created was something called the Committee on Scientific and Technical Information, called COSATI. Now, in the seventies COSATI died, but four major organizations at that time, which is NTIS, DTIC, NASA, and Energy, got together and said, we've got to carry this type of work on because we have some common interest, not only to expand scientific knowledge to our own organizations, but also to others and NTIS, for example.

Since then we have added ten organizations from nine different agencies. But that's not the only collaboration. The other groups have -- the National Special Data Infrastructure, the NSDI, which was created by OMB Circular A-16, and it is the only one that I know of that is specifically chartered from the time down. All the others are voluntary.

The National Biological Information Infrastructure is a formally constituted collaboration among those organizations, both inside and outside of the government, who are interested in the whole area of ecological impact and the biology and the impacts of, say, what's causing frogs to have abnormalities when they're born.

The GrayLit Network is a collaboration between the Department of Energy, DOD, DTIC, and EPA to bring together to a common site that that is called gray literature, namely non-published, that may come from a lot of different sources throughout the world.

The Commerce Business Daily CBNNet is a collaboration between the GPO and the Department of Commerce to make available the Commerce Business Daily, available not only to the general public for its announcements, but allow contracting officers to see what's going on among all the agencies.

So in fact what I'm trying to say is that there is both an apparent and a latent need in my estimation for organizations to share other government information. Firstgov has already been discussed.

(Screen.)

I showed you the orderly process that we see in the scientific and technical information, but if I take that outside you'll see it goes everywhere. There is no organization outside the STI in some limited areas, and that big X says a lot of stuff may get lost. There are processes, but there's no order. They're only ordered in specific communities. NTIS is part of that community that has the order.

(Screen.)

So what, with this setting, what is panel two's conclusions and recommendations? Well, we conclude, number one, there continues to be a need for NTIS, the GPO, the NARA, and those who provide good central functions. But we see there's a greater need to expand beyond those communities, feeling that if there is more order within the government so that we can do our job better it creates something better for the general public also and it'll mainly lead to greater public access.

(Screen.)

We don't think that OMB Circular A-130, which is a primary guidance document, really talks about information sharing among federal organizations. Number one, it talks about considering when you create a new automated information system with hardware and software you see if others have that. Namely, it's driven more by information technologies than information content.

So we believe that a comprehensive look at a plan is needed on how to maximize both electronic and paper documents.

We also concluded that all government information is not public, therefore we have to have -- in our system at DTIC, Department of Energy, NASA, all have marking systems on their documents so we know what the restrictions are for access. That means if you're already within a certain category of users you can get that without further vetting. If not, there has to be another process.

(Screen.)

But we can't forget that the only thing is access. We have to have continuing long-term access and we have to make sure of the preservation. Preservation in our mind goes hand in glove with access, and it hasn't always done that.

So we'd recommend, first of all, to institutionalize inter-agency cooperation effort. Namely, find some mechanism in which to have people gather together and say, have the government do this, as opposed to specific communities who have done it voluntarily, and as a result to establish policies that talk about these areas.

I have "authenticity" particularly highlighted there because we all talk about privacy, confidentiality, and security; we're not necessarily well versed in how we can maintain authenticity, and I know you mentioned authenticity in your report.

Secondly, we think, now on a more detailed level, that NARA has to be involved early on. Archiving of documents should not happen after a document is created any more. It should be considered at the inception of the document, and therefore there ought to be meta-data originally, so that it can be not only archived but withdrawn.

(Screen.)

We think that there has to be a comprehensive analysis on how we ensure permanent public access. We know the community, NARA, the Public Printer, SupDoc's, we in the community are addressing that, but again it's done voluntarily from the bottom up. There is no downward thrust. So we have to make sure that, whatever we do, we couch things in terms of public access to information.

(Screen.)

Well, we think that we ought to clarify the whole life cycle planning thing and talking about how we register data elements themselves. A huge, a bunch of words, if we can't figure out what they mean or what they mean to us or what type of information we need, are no good. So we do a very detailed thing that says data elements should be reported in XML, which is an expansion of the technology that is now in use.

(Screen.)

We think the stakeholders ought to be involved in a definition of what we need in information technology and then develop a government-wide type of taxonomy so that people can find what's there.

We think that we have to address a problem that sometimes is not recognized. Various different government organizations when they have public reporting, for example, define entities differently. So you cannot find through a search what "General Motors" is throughout the government. It has 17 or 18 different definitions. We think both within the government and to the general public, if you could have a specific way to identify organizations it would be better.

So long term, we think, number one, we ought to take a look at the whole problem, not just digital, but the non-digital, the cost that it takes to convert what should be converted and how do we do that.

Secondly, we think there's more research that should be addressing the whole area of security, integrity, and privacy.

(Screen.)

These are the members of the panel. As you can see, they came from a wide area both inside and outside of government, geographically dispersed.

(Screen.)

If you need anything more, there I am.

MR. HORTON: Thank you very much, Kurt.

Our third panel chair is Mimi Drake, who is Director of Libraries at Georgia Tech and former President of the Special Library Association, as many of you know. She was asked, her panel was asked, to cover the public information needs by everybody outside of the federal government, external in other words.

3. EXTERNAL USER NEEDS

MS. DRAKE: Thank you.

I wish we had had six or eight months to do this study because when you talk about the public and its need for information you're talking about hundreds of millions of individual mind sets and individual needs. It sometimes grates me when I hear "the public" because I think, hey, you just can't describe it that way. But we have no choice but to describe it that way.

I would like to echo something that Bob said and that is the case is new. We are looking at a new situation with new capabilities. Technology is enabling and facilitating bigger things. I'm one of those crazy people who is a visionary. Don't ask me to do detailed planning; I can't do it. You want vision, I'll give it to you. That's where I'm coming from.

I think a lot of my panel members will as well. Most of them were not government employees. They work for universities, industry. We had some consultants, we had some from the publishing industry. I think we all agreed that we have an extraordinary opportunity right now to make a huge difference to lots and lots of people, to make a huge difference in how government information is managed and disseminated.

My own particular interest, of course, is in science and technology, and I would echo what my two colleagues have said. Georgia Tech mounts the NTIS database on its own computers because we are so heavily in science and engineering.

The other aspect of science and engineering is that's what makes the economy go. So if we're going to invest in a new system for the dissemination of scientific and technical information, we're investing in the economy, we're investing in innovation and maintaining our lead in scientific progress in the world.

So the people on panel three who are outside the Beltway took a big picture look. We didn't say, here are a bunch of agencies, let's try to put them together. We said, let's forget about that, let's look at the problem, let's look at the big picture, let's look at the forest, because we didn't want to get bogged down in the trees at that point.

Our people did volunteer their time and they were all extremely busy people. What we did, we had one face to face meeting and worked through e-mail. Fortunately, most of our people are accustomed and comfortable working that way and that really helped a great deal.

So from the perspective of the big picture, forgetting about the interests of this agency or that agency, we concluded that the federal government needed to establish a new agency in the executive branch to collect, describe, distribute, archive or help archive all government information. This agency would bring together various agencies involved in collection and dissemination.

What agencies -- it would appear to us at least, agencies needed infrastructure, they needed a mandate to ensure interoperability, and you've heard about some of the problems of a lack of interoperability and the difficulties of people finding information. That's really important.

The panel took a very comprehensive look in recommending that the new agency be responsible for the operation of a smart portal, a gateway, an intelligent gateway, to lead people to the information they need. This gateway would include the cataloguing, the meta- data. It wouldn't necessarily house all the information, but it would certainly point to it with some quick links.

We also recognized that federal agencies need help in their publishing efforts. They need standards, they need infrastructure, they need incentives, they need a mandate to collaborate and work together. So it is important that the Congress mandate the dissemination of appropriate information and give the agencies the means to do the job. They really haven't done that. They've been worried about this agency and that agency. Wait a minute, we've got a big job to do here and we can do it, because technology will let us do it now.

So I think our panel felt that Congress needs to enact some very comprehensive legislation in this area. I think the panel agreed that in the long run there will be cost

savings to everybody because as we move forward documents are going to be born digital, so why not take advantage of that and put them up on the web. The public will benefit from having government information available at the desktop or the computer in the library. Private publishing will benefit from access to information that they can repackage and add value for their particular markets. I want to emphasize that because they do a fantastic job.

A lot of special groups that are going to be attached to this report will benefit as well because they gather information, very specialized information. The AARP, for example, gathers a great deal of information to disseminate to its members. That's true of hundreds of thousands of not-for-profits. They need access to that information to repackage it and provide value for their members.

In the short run there will be a big investment in infrastructure, but if we don't do it now it can only get more expensive in the future. I think that private industry can help tremendously with the technological problems associated with interoperability, infrastructure, and standards. The private publishing industry has a great deal of experience here that we could all benefit, would give us all a benefit.

I think we need to plan for the future and not the present. The future are people who take computers for granted. Talk to anybody under the age of 35 and computers are very much part of their lives. They're not add-ons. This is their first source for any kind of information. Whether they're gen-X'ers or gen-Y's or whatever this new one is -- we don't know yet -- they go to the computer first. I live with almost 11,000 kids between the age of 18 and 25 and I can tell you, they don't go to the books; they go to the computer.

Just as baby boomers took television for granted, the World War Two generation took the radio and the post office for granted, these kids take the computer and the Internet for granted. They go to the Internet first. They want everything there.

Our young assistant professors come to Georgia Tech and say: Why isn't everything on line? I said: Well, we can't afford to have it on line; some of it is still in print. You know that stuff on paper with ink? Oh. But they really do expect that it will be on line 24 by 7.

Another aspect of the problem that we looked at was the need for archiving and for permanent public access and preservation. I am very, very concerned, deeply concerned in a personal way, that future generations will be denied access to our history, be it political history, economic history, scientific and technical history, unless we take steps to archive and preserve. The government cannot do it alone. It's a huge job.

I would suggest and I think the panel suggests that this could be done by a consortium led by NARA or coordinated by NARA and LC and other federal agencies. It could include research libraries. The job of research libraries is to preserve. That's our job, one of our jobs. And trusted third parties. I would explore trusted third parties, such as OCLC,

RLG, in the case of scientific and technical information the Linda Hall Library. The research libraries and these trusted third parties could help enormously in planning a system of archiving and preservation.

My last point relates to librarians. Their roles are changing dramatically. The people who work in my library do not sit behind a desk and stamp a file. They are out with faculty, they are active participants on research projects. They do the searching for the technical reports that are needed for our new projects. That doesn't mean that our faculty don't do it themselves. They do. But we save them all that time because we think we know where to find everything, but sometimes we have to go to five, six, or seven sources to find it.

Librarians are now knowledge managers, information specialists, web designers, content specialists, you name it. The titles are changing very rapidly. If we dream just a little bit more and we say that all information is available on the web, that anyone can get it, that doesn't mean that people will stop going to libraries. It does mean that people will go to libraries when they have very complex problems and they cannot find what they need.

I can say that from experience with young assistant professors who think they know everything. By the time they come to us, they're desperate and they have to admit, I don't know, help.

But I think librarians, many librarians need some training. I would emphasize training in every form that we can give it: online tutorials, other ways of training in the access, selection, and use of government information. They need special training in using numeric or statistical information. They're not accustomed to thinking how is that information described. Some of you in the room have heard my infamous speech on the imports of scotch whiskey and all the problems of trying to find out about that.

So I think that a training program is really essential. I think it would make a tremendous difference. I think the value added by that alone would be just huge.

I'll be glad to talk to you more later.

MR. HORTON: Thank you very much, Miriam.

Do we have time to proceed with Wayne's report? Our fourth and final panel chair is Wayne Kelley, who is a former Superintendent of Documents. Wayne was asked and his panel was asked to look at ways to strengthen the way the way the public and private sectors work together for the purpose of providing better access and dissemination of government information to the public.

Wayne.

4. PUBLIC-PRIVATE SECTOR PARTNERSHIPS

MR. KELLEY: Thank you, Woody.

I was Superintendent of Documents for about eight and a half years, but prior to that I was in the private sector, the publisher of a hopefully profit-making company. So I could see both sides of the issue, and when we put together our panel on public-private sector roles we brought to it a history of, oh gosh, maybe 30 years of arguments in which we knew all the usual suspects. So we had a number of people who had been involved in this issue before and debated it, and we added to our panel a number of people who had not been central to those debates.

We had 19 people and they gave generously of their time. We had two meetings. The second meeting, we had 15 of the 19 people come, and then we continued our work by phone and by e-mail. So our 25-page report represents a lot of work by a lot of people, some of whom are here in the room today.

To keep it brief, what we decided to do was to divide up our study into working groups to keep it manageable. We didn't want 19 people on every point. We picked five critical issues. The critical issues we defined as those that, if left unresolved, could deny the American public open and timely access to federal government information.

Those groups were on preservation and permanent access, authentication, finding information, user assistance, and the channels of distribution. In looking at these things just in brief, we decided that, obviously, the print model had changed. In the print world, information was published by government agencies, it was official when it went into print. Nobody had to decide whether or not it was a promulgation of that agency. It was copied by the Government Printing Office. It was made available in sales programs. It went to regional depository libraries, which under law held every document.

That model no longer exists, so now we're taking a look at the electronic world. We decided that in preservation and permanent access and authentication the government had to have the primary responsibility. The government creates the document. The government is responsible, although this is an area that I think you guys should consider for making sure that it's official. What's official today on a web site?

Many of the people we talked to, we had people from EPA and the Justice Department and other agencies had no idea. A librarian from the Justice Department had no idea how many web sites were out there, whether the information was official or whether it was just somebody putting up something they felt like putting up. Clearly, the head of the agency had no idea.

So there needs to be government responsibility for creating the document, preserving it, and for indicating that it's official. Our report gets into these details and I'm sure that you'll find it very easy. The report was written by two people: Fran Buckley, who is here today, Dan Duncan, who is not. Fran is Superintendent of Documents, Dan came from the private sector.

Everybody reviewed their work. We had some debates about it, and the document didn't try to reach any given conclusions. What we agreed to do was to disagree if we found some problems with it.

But under authentication, one of the things we decided, an agency has got to say, this is our document, put it out. Both for the public and for the private sector, this is essential. It could be as simple as saying authorized agency web sites have to be monitored and the agency has to stand behind the material, or it could be as complicated as fingerprinting or whatever you do with the technical stuff that you do nowadays to make sure a document hasn't been disturbed and so forth.

But the government is responsible for that. Without that, how can the private sector even create new products? The private sector needs a reliable and timely source of continuing information to create products.

On finding information, we began to reach those points at which the private sector could produce a lot of help as well as the government sector. You've heard here the talks about finding aids, indexing, categorizing, thesaurus, and so forth. Some of our people who spend a lot of time in this area told us that without human intervention in adding some of these things nobody can find them on the net.

Sometimes government agencies do that. I think DTIC does a lot of that. Sometimes they don't, and the private sector can do that and there is a role for both there.

User assistance comes the same way. In user assistance, librarians, who are considered by us to be in the private sector -- we had profit-making and non-profit-making librarians; non-profits and so forth were in the private sector -- the public sector. But anyhow, you can break this down between librarians' help. Government agencies, many of them, EPA and others, have user assistance programs, and of course the industry, the publications industry, has a lot of people who index, organize, and put out to certain market segments information that gives it wider distribution. They can also create new products and change more quickly.

Channels of distribution, we just noted that there are a number of sources of distribution, but no one central one. Firstgov has now entered this area from GSA. GPO has had one, GPO Access, for years. Library of Congress has got THOMAS. NTIS has got FedWorld. Maybe there should be several, not one exclusive, and maybe there shouldn't. This is part of that debate.

But we also -- just to mention one thing that we thought about that hasn't been mentioned previously, we figured that when we talked about public information we meant all three branches -- legislative, judicial, and executive. Now, there are real problems if you leave out the judicial, which is not a source of a great deal of information right now, free access in an organized way, except in Florida. Well, you see what happened. You've got too much information, overload there.

But in the Congress, of course, Congress sometimes makes its own information available, sometimes it doesn't, and they have their ways of doing that. But we would suggest that all three branches be covered.

Just one concluding comment. We also looked for centralized coordination agencies within each branch that would be authorized to oversee or to take initiatives in the area of information distribution. I personally would like to add, having dealt with this before, just a couple of comments.

If this Commission decides to recommend some sort of centralized organizations, I would hope that you would start with specifying that it be somebody who cares about and has expertise in the area in which they're working. This isn't always the case. Things appear full-blown all of a sudden, with people you'd never expect being interested in information dissemination or access.

Second is that the mission be clear, that it not be an offshoot of something else that they happen to be doing or that the agency, like Commerce, doesn't say suddenly, we don't care about NTIS, why do we have them. We need an agency that cares or an organization that cares. We need a clear mission.

There has to be adequate funding. I understand with Firstgov that the funding is rather vague and whether it's going to continue is rather vague, and that it was kind of putting an arm on people for some contributions to get it started, and blah, blah, blah. This isn't the way to go. If I'm wrong about that, anybody --

MR. MOLHOLM: No, you're right.

MR. KELLEY: I knew you'd say that because that's where I got my --

(Laughter.)

MR. KELLEY: And fourth, that if somebody is given this authority that there be some means of assuring compliance. I mean, there are so many things on the books right now that are just honored in the breach that it is out of control.

That's all I have to say. Thank you.

MR. HORTON: I think you will all agree with me that we've had four very outstanding people and we much appreciate it.

(Applause.)

MR. HORTON: I now propose to our distinguished Chairperson that we soon break here for lunch. But I would like to hand out first several key documents that I have with me here today. But even before I hand these out, I'd like to make a few remarks about them.

The first remark I would like to make is that I'd like to remind everybody that we have had a God-awful schedule here driving us. The Congress has insisted that we produce our final report by December the 15th. So while in better circumstances we might have liked to have far more time to consider much more carefully all of the inputs and the feedback that we've received.

Unfortunately, we were so compressed that we have had to produce the documents which I'm about to hand out in the very short time frame of just a couple of weeks. So you may fairly fault me and the Commission for such a terrible timetable, but, believe me, it was entirely out of our hands and I apologize for that. It was not because we were sitting on reports across the street with the idea that we were going to spring a big surprise on you today. Believe me, that was not anywhere in our mind.

The second point I'd like to stress is that, although our panels worked very hard and we're fortunate to have four very distinguished leaders, I must remind the group that their inputs were only one of many, many inputs which the Commission received. We got agency opinions, a stream of e-mail messages from the public at large commenting on this, that, or the other thing on the study pages. We have 14 experts with no shortage of expert opinions giving us feedback on the reports and, by the way, hitting us over the head for the most part for not going far enough, I might share with you.

So as valuable as they are and as good as they are, the panel reports were only one of the many bits of feedback we got.

Now, with that, what I'm going to hand out to you are two documents. One is a draft of the executive summary of the Commission's proposed final report. The other document are selected excerpts from a proposed new statute which we are tentatively calling the Public Information Resources Reform Act of 2001. I would suggest if you've got a little time in betwixt bites and drinks at lunch that you take a look at these, at least in highlight fashion.

Then I would ask you all to give us your feedback and comments on these documents by Thanksgiving in order to give us a little bit of time to assimilate your comments and revise the preliminary final report draft, which has not yet been distributed to anyone. So we're asking for feedback on the two documents.

If there are more than one person here from the same organization, we would appreciate your sharing these. I think we only have 35 copies, so maybe we'll have to go back to the printer across the street in betwixt.

Are there any questions about what I'm proposing to do in the process?

MS. RUSSELL: There's also something here from ALA.

MR. HORTON: We also have a document from ALA which we'll hand out, commenting, I think, on the process and the final reports.

COMMISSIONER ABRAMSON: We're going to question the panel chairs after lunch?

MR. HORTON: After lunch, yes. Also, we have several other speakers lined up, one of whom hasn't arrived. But we'll continue with the agenda after lunch.

CHAIRPERSON GOULD: While the various documents are being handed out, let me make an announcement regarding lunch. The Commission, we will break for lunch. I would like to hold lunch to 45 minutes. So by the time we get everything passed out, it'll be close to probably 12:30. So why don't we come back here no later, please, than 1:15.

Secondly, we've arranged for lunch for the Commissioners, the Commission panel chairs, and the Commission liaisons across the hall in the lounge. For all of our guests, there are a number of sandwich shops in the area. Please think in terms, if you so wish, to pick up your lunch and come back and join us in the lounge. Then we will reconvene at quarter past 1:00.

Are there any questions about the arrangements?

(No response.)

CHAIRPERSON GOULD: Then we are in recess to 1:15.

(Whereupon, at 12:20 p.m., the meeting was recessed, to reconvene the same day.)

AFTERNOON SESSION

(1:17 p.m.)

CHAIRPERSON GOULD: I'm going to call this meeting back to order, please.

Woody, would you like to continue, please.

MR. HORTON: Would had invited today Laureen Daly, who some of you may know --

CHAIRPERSON GOULD: Woody, the microphone. It's right there. You can take it out of the stand. Yes, it's right there, Woody. That is the portable one. Just slip it out of the stand.

MR. HORTON: We had invited Laureen Daly, who some of you at least I think know is the person who took John's place at the Department of Commerce. He was sort of the point man for the administration on the 1999 proposed transfer of NTIS to the Library of Congress.

CHAIRPERSON GOULD: Woody, the microphone.

COMMISSIONER HOLAHAN: It's an electronic device we're learning to use.

MR. HORTON: Unfortunately, she could not be with us today. We have been in contact with her, we've met with her and we will remain in contact with her because the Commission wants to remain in close contact, not just with the Hill, but with the administration in the context of this study. We will give her, will share with the administration, with the Department, copies of the material that we handed out here today.

If there is anyone else here who wishes to speak to the Commerce issue, that's fine. Just let me know. Otherwise, we'll proceed.

(No response.)

MR. HORTON: I think we had on the agenda "Policy Issues Raised by the Study," but perhaps, if you don't mind, Martha, I'd like to say maybe a couple of things about what I believe are the overarching issues that --

CHAIRPERSON GOULD: Use the microphone.

MR. HORTON: -- overarching issues that we feel are really behind everything else.

MS. DAVIS: Excuse me. You have to hold it like that. It can be way out, but it has to be like that (indicating).

MR. HORTON: When we kind of sat back and looked at all the feedback we were getting, not just from the panels, it appeared to us that there were two really major, major considerations that I've just referred to as overarching concerns. One of those was it appears to us that the federal government, and for that matter state and local levels of government, do not regard their government information holdings as a strategic national asset. I believe that is our, frankly, our overarching of the overarchings.

We believe that, while there are statutes, there are laws, there are policies, there are regulations, there are many programs that entitle citizens to obtain information from government, still in all when it comes to the aggregate of the government's knowledge holdings we do not believe the government looks at its public information as a strategic national asset.

We believe it should. We believe that those assets should be fully exploited, not just by private industry, with all due respect to our private sector, but by all other sectors of the economy and the society. But to do that, some may say unfortunately, in our bureaucracy inside the Beltway the way we do those things is we create a national mission and we need an organizational structure and we need to develop authorities and responsibilities and job descriptions and budgets and the whole nine yards of all the paraphernalia that go with a national mission.

It would be presumptuous of me probably to equate that to the man on the moon program, but short of that I think our argument is that this government of ours could come to regard its government information as a national asset. We certainly read that in what's happening abroad. For example, the European Union two years ago published a so-called green paper where it extolled the virtues of what it called public sector information, same thing, and went to great lengths -- we have that document, by the way, available -- went to great lengths to point out why the national governments should come to regard their public sector information as something vital, strategic to all of their nation-state societies.

Well, in effect we in a way -- this is not new with us. We're taking a leaf from their book, so to speak, by elevating its importance. So that's the first of the overarching concerns.

The second overarching -- how am I doing, Denise?

MS. DAVIS: Great.

MR. HORTON: The second overarching concern is that when we looked at, across the board, at the hundreds of laws that are on the books that have some provision for providing government information to the public in all the contexts -- entitlement programs, people who are seeking permits, complying with safety, health and security regulations, and so forth and so on -- we felt that -- and most importantly, looking at the Freedom of Information Act and the Privacy Act and the national security area -- we found that in our view this statutory foundation was flawed.

It's flawed in the sense that the total foundation of all the laws, so many of them, and led by the Freedom of Information Act, are couched in a very legal rights adversarial kind of way. They pit, as it were, the right of the government not to disclose its information on the one hand with the rights of citizens on the other hand to access the information which you and I as taxpayers have paid for in the first place.

Our belief is that that construct, that framework, is inadequate and that we need a new foundation cornerstone. In our proposed legislation that we gave to you today in summary form, excerpted form, we indicate a couple of things. One is every government agency in its authorizing legislation should have standard language which makes it mandatory to make its government information available to and disseminated to the

public. Very few enabling legislations now have such a provision, or if it is it's tied more directly to the programs of that agency rather than in a general sense.

COMMISSIONER HIGHTOWER: Woody.

MR. HORTON: Yes.

COMMISSIONER HIGHTOWER: Should every agency have the right, as the Department of Defense does, to say something is top secret, confidential, or restricted?

MR. HORTON: Absolutely.

COMMISSIONER HIGHTOWER: So each agency could be able to do that?

MR. HORTON: Yes, yes. Of course, there are guidelines, too, as you know, for what constitutes national security information. There are laws, but they should have that right.

COMMISSIONER HIGHTOWER: But that's national security.

MR. HORTON: Yes.

COMMISSIONER HIGHTOWER: Some departments, like Department of Education, what would they have to say about national security? Should they have the right to embargo some of their information?

MR. HORTON: Our position is that the default, so to speak, should be that the government is obligated to share to the maximum extent all of the information which it holds. It is true that the phrase is used in the Freedom of Information Act that the burden of proof has shifted from the government to the people, but on the other side, the default still remains, if you don't know what exists and how to identify it, the chances are you're not going to get your hands on it. That's one of the big problems.

So the language in this proposed new statute makes it clear that, with that standard clause in the enabling legislation of every agency, they need to plan and budget and fund for the dissemination of their information to the public as a very explicit responsibility, not something that's regarded as a byproduct or an afterthought of something else.

COMMISSIONER ABRAMSON: A line item in their budget.

MR. HORTON: A line item in their budget. They have an information collection budget under the Paperwork Reduction Act which imposes targets to limit the collection of information from the public by the government. But we don't have a corresponding information dissemination budget on the other side that makes it equally mandatory for federal agencies to disseminate their information to the public. We think that the two things go hand in hand.

COMMISSIONER HIGHTOWER: Woody, now then, are we saying -- there is going to be various kinds of information within an agency. Are we saying that they have to make public anything that the agency publishes? Or are we going to have to say that all internal communications within that agency ought to be public?

MR. HORTON: Did you want to say something, Bob?

MR. WILLARD: I think that right now that is the rule. Right now the rules, under the combination of Title 44 publication requirements and the Title 5 FOIA requirements, do set up that schema where information is either assertively published or the right is established to have access to it. It is not a requirement for the agency to publish everything, but it is at least a responsibility to have access to everything except that which is confined in the exemptions under the Freedom of Information.

COMMISSIONER HIGHTOWER: But that would be spelled out in this Act, too?

MR. WILLARD: Yes, I think so.

MR. HORTON: There's been, as Kurt pointed out in his report --

MR. WILLARD: I'd like to add something else if I could, and that is, on this affirmative responsibility of agencies that we're talking about, basically having an information dissemination budget, there has to be a mind set, and it was alluded to very clearly in Peter's presentation, that the constituency that normally deals with the agency is somewhat comfortable with the agency's information products and knows how to get to it, and what the agency has to know and recognize and support to a limited degree -- I don't think they have to turn themselves inside out to do it -- but they have to support to a limited degree the recognition that they are creating information for their own constituency which has value to other constituencies and there is some responsibility to make that information available to those other constituencies.

MR. HORTON: As Kurt pointed out, unfortunately, in the Paperwork Reduction Act and OMB Circular A-130 on the management of federal information resources the whole emphasis is on avoiding unnecessary overlap and duplication in developing new information systems and services. It's a kind of negative way.

It does not say in that law that agencies are encouraged to share government information with each other. That's a very unfortunate oversight. I can in 20-20 hindsight tell you how it happened. It happened simply because the Commission on Federal Paperwork was put on this Earth by the Congress to seek ways to reduce unnecessary forms, recordkeeping, and reporting burdens of the American public. It was not put on this Earth, unfortunately, to simultaneously look at ways to enhance the dissemination of government information to the public.

COMMISSIONER ABRAMSON: Or even to other agencies.

MR. HORTON: That's correct, public in the broadest sense, the federal public as well as external. And we concur and we say in our final report that we think that there ought to be greater sharing, even among and between federal agencies, not just to avoid the re-collection or the establishment of duplicative systems and holdings, but rather because who is to say in agency X if the knowledge that's held in agency Y could not be helpful to them in a very positive sense, never mind whether it avoids the re-collection of duplicative, establishment of duplicative systems or not.

So we would like to make that recommendation to the Congress, that when the Paperwork Reduction Act is reauthorized next year in 2001 that one of the ways that it be modified is to shift the emphasis equally, not just the negative avoidance of duplicative situations, but the positive, to share information where one agency could use the information that is held by another.

Kurt.

MR. MOLHOLM: If I could make a comment particularly to your questions. FOIA I look upon is some basic protections of both sides. One of the exemptions of FOIA, 5, says that you are exempt from disclosing things that are part of the decisionmaking process. Does it really help everybody to find out 17 different opinions on ways you could go, or wait until a decision is made and then you have a record for it.

So when you talk about organizations making the decisions, what should be in the public domain or not, those are the types of decisions. Obviously, privacy, health, those exemptions under FOIA are pretty good guidelines on what you need to know on saying this is not publicly available.

Now, FOIA doesn't say you don't get it. FOIA says that if somebody wants to question it then you go through a process again to decide whether or not they should get it. But there are some guidelines. Not everything developed with public money is necessarily available to the public. As I say, health, intellectual property, things that you buy, there are certain rights that have to obtain. Those are all under the exemptions, the nine exemptions of FOIA.

So I think those are positive guidelines. They're not things to necessarily prevent disclosure. They're guidelines to say what justifiably should not be part of the public domain.

COMMISSIONER ABRAMSON: But for lack of a better word, you used the word "default." Are you in personal substantial agreement with the fact that the default should be to disclosing?

MR. MOLHOLM: By all means that's what the policy is, but it's not necessarily a culture. When you talk about classified information, obviously, we have seen lots of examples where people have classified just to protect their own careers or parts of their anatomy, and that is not what the intention is. But that's a cultural thing.

You can't take that -- you have to look at that cultural thing, but you can't from on high say everything in this categorization is or is not, because it now comes down to personal accountability to make that decision, is this a privacy matter or not.

COMMISSIONER ABRAMSON: In a cultural sense, we really are talking about a sea change, even though some existing laws seem to require it.

MR. MOLHOLM: Yes, we are. Yes, we are, and I think it's very important. Some of the things that Woody has said is to kind of institutionalize within the departments a public information awareness and their responsibility. I think that's an important part of making that sea change, you're right.

MR. HORTON: Remember, this recommendation just doesn't appear out of the blue. You'll recall that in our study several years ago with the Government Printing Office when we surveyed 23 agencies we found that there was no single focal point within federal agencies concerned with the dissemination of information to the public.

Sure, there were a lot of offices involved, including public affairs, printing and publishing, the web master, and many others. But in only one case out of 23 could we even get the chief information officer to step forward and acknowledge that he or she had that overall focal responsibility.

All of the other courses of action that we are recommending -- that is to say a new statute, the Public Information Resources Reform Act of 2001, a new independent agency in the executive branch which would have overall government-wide policy leadership and oversight responsibility for public information resources, and secondly within the executive branch would have responsibility, a newly established legislative information resources office which would retain several of the residual functions currently in the Government Printing Office, such as printing and procurement services, customer services, and other functions, a judicial information resources office with comparable responsibilities to try and improve the public information dissemination to the public from that branch, and we would transfer certain existing authorities and resources and functions from the Government Printing Office and NTIS to the new PIRA, the Public Information Resources Administration.

Then we come down to a variety of other recommendations specifically geared to things like the recommendations made by Peter with regard to changing the NTIS business model, the recommendations made by Wayne with regard to how to strengthen public-private sector partnerships, and the recommendations made by Mimi with respect to better responding to academic and research institutions, the disadvantaged, and so forth.

We've tried to bring together in this new agency as many of these new functions or strengthened functions as we could, to make it as cohesive as possible, putting it in one place.

Let me hasten to say before someone jumps on us on this that we're not recommending the creation of one big central computer databank in which we're going to dump all this information and that would be all things to all men. That is not contemplated here at all. We do believe it's essential, as several of our panel chairs pointed out this morning, that there be a single central comprehensive and authoritative electronic database that would house the backup copies of the information that was created and made available by the individual mission agencies.

But there is nothing in here that removes or takes away from the individual federal agencies their authority to create and manage their own information resources in the first instance. We are referring to backup, as the phrase is sometimes used, necessary redundancy to make sure that it's in one place as a backup facility.

I had intended those comments just to be by way of an overview of the rationale in our thinking. I guess one thing we need to do still is to ask if anyone would like to ask any of our panel chairs any questions or make any comments on their reports.

COMMISSIONER ABRAMSON: I had a couple questions for Peter. No one specifically talked about retroconversion of existing records. That would still pretty much under this new scheme be up to the individual agencies deciding what should be digitized. We're not talking about -- no one seems to advocate a program of retroconversion of existing records into digital form.

MR. MOLHOLM: Panel two has a recommendation that this be studied to decide what the criteria and how much it would cost and the benefits. So that is a recommendation of panel two, essentially that.

COMMISSIONER ABRAMSON: But that recommendation could end up deciding that nothing before a certain date should be digitized? I mean, the Library of Congress has kind of gone through that with their prioritizing what national resources should be digitized.

MR. MOLHOLM: The current NTIS practice is to digitize everything that is current, although it is being digitized in image format only, and one of the recommendations that panel one made is that they should look at broadening that so they digitize it more than just in image format. But there was no discussion about going back.

The \$5 million requested appropriation does include the continuing digitization going forward, but does not include any going back.

MR. MOLHOLM: Everything Defense does provides an electronic image, so we have made that conversion. We've done it since 1994. What we don't have is the million and a half documents of the past that are still in other forms. I have no idea what the cost is. I can't estimate what the cost and I can't really estimate what the value is, and that's the real problem.

COMMISSIONER ABRAMSON: Well, one possibility of a real retroconversion program would be to do all the current stuff and then, if things are requested that aren't digitized, digitize them as they're called up.

MR. MOLHOLM: That's exactly what we do. That's what does, and that should finish in about 2400 or maybe 2450, the year. It's a massive thing.

CHAIRPERSON GOULD: Bob.

MR. WILLARD: That's clearly an area, I think it was in the National Academy's Library of Congress report.

MR. MOLHOLM: Yes.

MR. WILLARD: An emphasis on looking forward and digitizing what comes, the born digital stuff that Mimi mentioned, because when we talk about what the technology is now, I think it's fair to say you ain't seen nothing yet and the conversion technology that's around the corner may be much more efficient, much less costly.

COMMISSIONER ABRAMSON: A couple of you mentioned Firstgov.gov. It's not yet two months old. It came up on line the 22nd of September and it was only ordered 90 days before that. My informal understanding is that it scans half a billion documents in a quarter of a second, and I have not been able to find some things that I know are there, so there must be a lot more there.

Is that a false start? Some people have suggested it might be. Could this be part of what became a framework that included the things that Woody's talking about?

MR. MOLHOLM: Well, I'll give you my opinion.

COMMISSIONER ABRAMSON: I didn't know it was in the GSA. When it was formed it was in the White House.

MR. MOLHOLM: Yes, it was part of the Vice President's reinvention effort. GSA is a procurement arm. The fact of the matter is it doesn't get that many documents. It gets references to documents. It does web sites and if they're not on web sites it will not find it.

One of the fundamental problems I've had with Firstgov is that there is no organization behind it. There's a lot of chaos. We in DTIC had a lot of conversations with the people developing that to tell them what some of the problems were. But I do think it's a start and I think that's the important thing.

COMMISSIONER ABRAMSON: Mimi.

MS. DRAKE: One of the things I'd like to add here because I think it's very important and I didn't emphasize it enough, oftentimes people will say, well, why should I put the money up front to do the meta-data, the provenance, the authenticity, and the description of the content, which we call cataloguing in library biz, why should we spend the money to do that?

The answer is you spend the money so that the retrieval process is efficient for those who are trying to retrieve it. It's very expensive to do. It's not cheap. It's not cheap.

COMMISSIONER ABRAMSON: It's more expensive to do afterwards.

MS. DRAKE: I agree with you.

COMMISSIONER ABRAMSON: The kind of sea change that Woody's suggesting here is, if this agency, if NCLIS was planning to come out with a report next year, as we sat down and talked about it and talked about contract language we were talking about the meta-data tags. We would be talking about the formats.

MS. DRAKE: Exactly.

COMMISSIONER ABRAMSON: Before we had maybe the first meeting, we would have that kind of lined out.

MS. DRAKE: But that needs to be done, so that it makes it easier for people to find and get what they want. If it's not done, then you get the situation where you're either being linked to another agency with no guidance, if you will, or you're retrieving the thousand documents. I really can't emphasize that enough. I think it's very, very important.

MR. HORTON: As Mel Day, another former NTIS Director, told us so eloquently in our earlier hearings regarding NTIS, he's tried all of his life to try to get the Congress to understand that these public good up-front functions should be considered an integral cost of R and D and a cost of doing business.

Now, if the federal government buys our recommendation and there is an information dissemination budget overall, just as there is an information collection budget overall, and if there is standard enabling legislation, then the cost of doing what we're now talking about should be included in that above board, not an overhead cost, not something slipped in the back door at the end. It should be an up-front line item, as you yourself put it, Abe, that's in those budgets.

MS. DRAKE: But I think there's another aspect to this as well and that is that, for example, on technical reports someone has to check the author's abstract and what the author puts down, because I can tell you that the faculty members who are involved in their research say, oh, I've got to do this, and they don't really pay as much attention to the detail as I would or someone in Kurt's agency or someone in NTIS would.

So even though we might ask the authors of technical reports to do this, somebody has to check it over for consistency.

MR. MOLHOLM: Two things in that area. First of all, what she's saying is absolutely true. We get abstracts for most of the documents we get in and only about 50 percent do we accept.

COMMISSIONER ABRAMSON: Do you send them back?

MR. MOLHOLM: No, we have to rewrite them, because the principal author is not very interested in writing abstracts very often.

Secondly, about 70 percent of our costs are getting things ready for access. That's the A and I work, the conversion work, etcetera. That's what's lost sometimes when you're talking about making yourself self-supporting. You're throwing a lot of costs that nobody recognizes.

My problem from the get-go with the web and using Firstgov and talking about how fast the access is is the recognition or the lack of recognition that what we're talking about is an information management problem, not an information technology problem. We've spent a lot of money figuring technology can do a lot of these things. Northern Lights -- NTIS knows about Northern Lights -- is an access company and a search engine. They have, at least last time I checked a couple months ago when I was visiting, seven full-time people just keeping their taxonomy up to date -- human aspects. These are not automated at all to the success level that you would like them to be.

COMMISSIONER GRIFFITHS: Can I just add? I think that the whole process of preparing to make documents and other materials accessible I think is actually going to grow, because the web now has provided access to such a wide variety of different audiences, that initially government documents are intended for certain audiences. I think as we look at the whole issue of K through 12 education that there are ways to position certain pieces of that collection of material that would address those other audiences as well, which means you're going to have to prepare the description, the descriptive information that would allow people to access it.

COMMISSIONER ABRAMSON: Is that meta-data tags? Is that what we call it?

COMMISSIONER GRIFFITHS: No, it's just slanting things for different audiences. An engineer would want an abstract one way and a K through 12 teacher would expect to see something slightly different.

COMMISSIONER ABRAMSON: Just a couple more. Mimi, I was interested. You said that Georgia Tech essentially downloads all of NTIS and holds it on their own?

MS. DRAKE: No, we buy the database only. We buy the database and the database is loaded on our local computer. We buy tapes.

COMMISSIONER ABRAMSON: Oh, you buy tapes.

MS. DRAKE: We buy tapes and the actual reports are on microfiche.

MR. URBACH: It's important to distinguish between the NTIS database, which is bibliographic information, and the content itself.

COMMISSIONER ABRAMSON: Why don't you just access it over the web?

MS. DRAKE: Because we have such a huge number of scientists and engineers who like the search engine we have, which is a very powerful one, and when we talked to them about saying, okay, access it over the web, they said no, we want what we have. There is something built into that system that allows them to click on something and send a message to us and say, we want the report. So it has certain services in there that they want to retain and we want to retain.

The other thing is that they can search the whole thing, but they can also search to other databases simultaneously with the software we have.

COMMISSIONER ABRAMSON: Then, Wayne, a final question. You used the phrase "create products" three or four different times. I imagined the kinds of things that could include. What were you thinking of when you talked about people creating products from government information?

MR. KELLEY: Well, to give you an example, one of our two meetings where we had face to face discussions, we had an Abstracting and Indexing Association person from Philadelphia, private sector, and we had the information officer for the EPA. The information officer from EPA in talking about what they did mentioned that they had ozone- gathering devices all over the country and they published the information. The private sector fellow said: You can't do that; why would you do that?

The answer is one of those things that gets worked out in government and one of the reasons why we didn't specify the way many things should break down. In EPA there's a law that mandates that they collect and disseminate the information, so that's why they did it. When you've got a law, that's what governs.

But as a person who's been in the private sector some time, I didn't see this as an inhibition. This information about ozone levels is up and is published in USA Today and other places. Immediately, if you're thinking in terms of developing products your mind leaps to, well, who would use this? It would be people who've got, say, breathing problems. What other things can you tell them about that? Take the government thing and put it into, make it a part of a larger product, and then market it to people who have specific needs.

So I think that there is a point of conjunction. If you've got reliable, accurate information that can be disseminated and the private sector can be guaranteed they can get it, they can make it part of a product and develop something that reaches a wider audience. That's typical of what I had in mind.

COMMISSIONER ABRAMSON: Reformat it and copyright it.

MR. KELLEY: Sure, sure. But the basic ozone information remains free and public.

COMMISSIONER ABRAMSON: Or even negotiate in their contract to do the research that they have an exclusive right to market it.

MR. KELLEY: No, you wouldn't want to have EPA's ozone information exclusive with anybody.

COMMISSIONER ABRAMSON: Well, things like that have happened in contracts.

MR. KELLEY: Yes, but under law it's not supposed to happen. I think there's a provision in, what is it, A-130 or one of these things that says no agency is to make exclusive arrangements with anybody. But they do, yes, that's right.

MR. PAYTON: A typical exception, if I might, is if an agency advertises to all the world for capabilities and then writes specifications and puts those out to all bidders, and for a period of time under certain specified conditions a private contractor can form a relationship with an agency and, on behalf of that agency, operate an information system. But that comes to an end at the end of the contract period and it must be performed according to the specifications that the agency has set. So there are some checks and balances that classically make some public-private projects work better than others.

But it's not unheard of and it's not across the board illegal.

COMMISSIONER ABRAMSON: So if there's a project and five people bid a million dollars and another person says, I'll bid half a million if you let me sell the product during the period of the contract, I guess you're saying that that's not offensive?

MR. KELLEY: Well, I never liked that when I was Superintendent of Documents. We could get into some disagreements we had with NTIS. Although I favor preserving NTIS, I think they had some exclusive arrangements for dissemination of information and they in effect controlled or got royalties for it and so forth, and I didn't like those things.

COMMISSIONER ABRAMSON: I have no more questions.

CHAIRPERSON GOULD: Yes, Denise.

MS. DAVIS: I have a question for all the panelists, and I don't mean to be a devil's advocate, but why is it that the government should be in the business of publishing?

MR. KELLEY: Well, because it's part of the operation of government to collect and disseminate information, to carry out the mission. So in the first instance, it's information that the government collects to do its own business. But then, once that's been done they are a publisher and it can be picked up by anybody after that.

MS. DRAKE: Well, I would also say that it's the taxpayers that pay for it, the taxpayers that pay for the collection, to some degree the organization and the analysis, and to have the government not publish it is denying something to the taxpayers that they have paid for and expect to have.

That doesn't mean that private industry doesn't have a role, because I feel strongly that private industry does have a role there. But I think the two can coexist very nicely.

COMMISSIONER ABRAMSON: In fact, there are even private companies that bundle the opportunity to do printing for the government and disseminate that to their members.

MS. DRAKE: Certainly.

COMMISSIONER MASON: I would also say, on that topic, that it's the role of government to provide information. I mean, it's the role of the government in this country to provide information. It's one of the purposes.

CHAIRPERSON GOULD: By the way, please, members of the audience and guests who are here, if you have questions or comments that you wish to make to the panel, just let us know.

VICE CHAIR CHALLINOR: I'm after somebody else. You were speaking.

COMMISSIONER MASON: I'm finished on that topic.

VICE CHAIR CHALLINOR: I think we have to, as an historian, go back to the fact that we're a democracy and in a democracy government must be as transparent as possible. That doesn't mean they are completely transparent, but they must be as transparent as possible. Part of that is for the citizens who have, as you said, paid and done this to know what is going on in the government.

I think that's just a very basic right.

MR. MOLHOLM: I have a problem defining even what publishing is.

COMMISSIONER ABRAMSON: It's not the same as printing.

MR. MOLHOLM: Pardon?

COMMISSIONER ABRAMSON: It's not the same as printing.

MR. MOLHOLM: No, it definitely isn't. But more important is the authorship, who's authoring it, why, and it's intended audience. If that comes in some type of document I guess that's been published, even though it's been sent in the form of an e-mail. So I don't mean to take issue with your question, but I have a hard time defining what that means any longer.

COMMISSIONER DAVENPORT: I'd like to sort of clarify some structural things that I think are in this draft bill and report to see if I've got it correctly. As I understand, the report is recommending a new executive branch agency to coordinate policy, program, etcetera?

MR. HORTON: With relation to public information.

COMMISSIONER DAVENPORT: Correct, correct. I mean, that's the domain within which we are working, that GPO would have a slightly revised mission, but would continue to exist within the legislative branch.

MR. HORTON: We did not say that it would exist that way. We said there would be created a new legislative information resources office and that it would have comparable public information resource authorities and responsibilities for the legislative branch as PIRA does for the executive.

COMMISSIONER DAVENPORT: All right, so I've got the circles at the wrong level, then. So we have now three circles up here.

MR. HORTON: We have three circles, that's correct.

COMMISSIONER DAVENPORT: One for each branch of government.

COMMISSIONER ABRAMSON: It's a constitutional issue.

MR. HORTON: With the one caveat that the executive branch agency would also have government-wide responsibility.

COMMISSIONER DAVENPORT: Over the other two branches of government?

MR. HORTON: Not over it in the literal sense, but for the purposes of policy coordination.

MS. RUSSELL: Woody, I think you need to call attention to the existence of the council as a mechanism to bridge that cap.

MR. HORTON: Right.

MS. RUSSELL: I don't know if you saw that in the draft.

MR. HORTON: Do you want to discuss that?

COMMISSIONER DAVENPORT: I'm still trying to figure out how we would do business on a day to day basis if this were adopted. Then an NTIS-like agency would continue to exist within this executive circle?

MR. HORTON: In the case of NTIS, we are recommending that the mission authorities and the resources be transferred to PIRA from the Department of Commerce.

COMMISSIONER DAVENPORT: So it would be operational as well as policy-setting.

MR. HORTON: That is correct, that is correct.

COMMISSIONER DAVENPORT: Okay. And if GPO were to follow the same model for the legislative branch, it would be operational as well as policy-setting?

MR. HORTON: If it were to follow that model. We're not telling it it should do that, but it could do that.

COMMISSIONER DAVENPORT: Then I guess I have one big picture question. As you were doing the legislative research on this, did you discover the reason why the Congress decided to make it their own responsibility to fulfil the government's role in information dissemination by putting that within their branch of government.

MR. HORTON: Yes.

COMMISSIONER DAVENPORT: As you were doing legislative research on all of this, did you discover the reason why Congress decided that that was its responsibility and has continued to fund it for years and years and years? And if you have discovered those reasons, why do you think they would now want to give this up?

MR. HORTON: Well, first of all, in looking at the legislative history I personally did not.

MR. WILLARD: Just speak loudly. We're getting this on the transcript.

MR. MOLHOLM: Just turn Woody up.

MS. RUSSELL: Just loudly, Woody.

MR. HORTON: On the legislative history, I personally did not see any constitutional reason why they felt that they, as you put it, should have the overall responsibility vis a vis the other two branches, especially the executive branch. So in sort of a negative way,

I didn't find anything that we felt was an overriding constitutional reason on why it should not be in the executive branch.

I do know, and I talked to my depository library friends, that they're fairly consistent in reminding me that they have over the years grown accustomed and comfortable in depending on a close relationship with their Senators and their Congresspersons and that that has helped them. I can fully understand that, but I'm not sure even that is what I'd call a constitutional reason why it could not be in the executive branch.

The other answer that occurs, the other point here, is that I think the Internet has so changed things around in terms of how people access information that we are forced to confront a metamorphosis, a transformation, of the federal depository library program to take into account this enormous direct access and the migration of product from print to electronic.

I think agencies now are going to be creating more and more and more, and there's going to be a bigger and bigger problem with fugitive material and following up to make sure it gets into a government backup database.

COMMISSIONER DAVENPORT: Following that very same point, the Congress has rejected the idea of a chief information officer for the United States and yet you are proposing in here a chief federal web master.

MR. HORTON: Those are two different statements. It is quite true -- and I thought maybe you had accidentally, Nancy, gotten an older draft in there -- that at one point the idea was floated that we should have a chief information officer of the United States who would be double-hatted. But that's not in these documents.

COMMISSIONER DAVENPORT: No, but that's being proposed outside of NCLIS. It is coming from the CIO council and it's coming from other places.

MR. MOLHOLM: Congressman Davis.

MR. HORTON: We think there should be a chief public information officer, chief public information officer. By putting the word "public" in there --

COMMISSIONER DAVENPORT: It changes it dramatically.

MR. HORTON: -- it's a different thing.

COMMISSIONER ABRAMSON: I assume that the reason that the Congress got in the printing business is because they insisted on having their own journal, and that probably led to a number of other things. I understand the reason why the Library of Congress is in the legislative branch is because they bought Jefferson's library. I understand this is the only country in the world where the national library is not in the executive branch.

COMMISSIONER DAVENPORT: Statutorily, it's never been declared the national library.

COMMISSIONER ABRAMSON: Actually, it's not our national library. it's the library of the world.

CHAIRPERSON GOULD: We have someone from NTIS who would like to say something.

MS. WOLFF: He's from NTIS. I'm not from NTIS.

CHAIRPERSON GOULD: You're GODORT?

MS. WOLFF: I'm from GODORT.

CHAIRPERSON GOULD: Yes.

MS. WOLFF: The answer to your question, why GPO is in the Congressional branch, is because the reason the GPO was created primarily -- this is a short history -- was because of the kickbacks from printing the Congressional Globe, and they decided one way to stop the kickbacks that went to the Congressmen, whatever, they created the GPO to centralize printing of the Congressional Globe. So they centralized the government printing to avoid the kickbacks.

COMMISSIONER HIGHTOWER: So it just made it a singular kickback.

MS. WOLFF: It made a singular kickback to the government.

But the idea was it wasn't supposed to -- Congressman Byrd's ability to have power in West Virginia, his guy wouldn't always get the contract. So that was the idea behind it. Probably from that, the Congressmen were also the ones that sent out the documents to their districts. Most libraries had the Globe from the Congressional office. They were sent as a constituent service. So that's probably how the depository system evolved.

But that's a quick and dirty version of it. Basically, that's why the government is in printing.

CHAIRPERSON GOULD: Judy and then Marilyn.

MS. RUSSELL: I think the question you asked, though, was why they were in the information dissemination business, not the printing business.

COMMISSIONER DAVENPORT: Actually, I know the answer to my question. I was asking sort of for the benefit of the group.

MS. RUSSELL: The reason why was the fear that the executive, at least as I understand it, the fear of the executive being controlled by only one individual, who was elected, and might choose to withhold information. They felt that they would --

COMMISSIONER DAVENPORT: As a representative of the people.

MS. RUSSELL: Of the people.

COMMISSIONER DAVENPORT: -- be there for the people to get stuff back.

MS. RUSSELL: Right. And again, it's starting from a negative and starting from an assumption that something won't happen that I think the web has dramatically changed. In fact, in this administration it was the President who ordered that every agency would have a web site and would begin to do this. That can change with the leadership.

You can see those changes, but with appropriate checks and balances in the law there is no reason why there can't be protections. Particularly, as Woody I think started with, if you have an affirmative obligation to dissemination embedded in the statutory mission of the every agency and you have oversight and compliance with, I think Mimi's words were -- it was yours or Wayne's -- with real consequences, then you have some other means through legislative oversight and through those kinds of things to make sure that you do have affirmative dissemination.

So I think the rationale for that may not be as strong as it might have been in a different era. But that's the reason that I've always understood as to why the dissemination was there.

COMMISSIONER MASON: I have a couple of questions, and some of this is probably in here. It's just that I skimmed over it so quickly. As I understand it, this new PIRA would operate -- this is probably going to be a bad analogy -- kind of like OMB in the sense that there would be independent obligations on each agency and department to disseminate information and PIRA would coordinate all of that, make sure it was consistent, that people could use perhaps one search engine to get to everything, and make sure that each agency was doing what it ought to do.

MR. HORTON: Let me answer that this way if I may. Throughout government, we have some instances where an organization is purely policy and we have other instances where it's purely operational, and we have other instances where it's a mixture of policy and operational. OMB is an example and so is OPM of virtually purely policy with minor operational missions. When you come to GSA, they have operational missions in the area of federal supply and public buildings which are quite detailed, and yet they still have policy also.

I would see in PIRA a mixture, a hybrid, where by policy leadership the intent is to develop draft guidelines and through the mechanism of the council that Judy mentioned, which would be composed of agencies on that council, those draft guidelines, standards

and guidelines and policies, would be reviewed. That would be the mechanism for review, which is pretty much -- there may be an inter-agency committee and some other mechanisms, but that tends to be the traditional way that government does things through its councils and its inter- agency committees, by formulating draft guidelines and policies.

The agencies still are Johnny on the spot when it comes to the creation and the ownership of their own information and complying with those policies once they are promulgated. In what form they are promulgated could vary all over the lot. It could go to a statute as an explicit statutory provision amending an existing law, as for example next year when they get around to amending the Paperwork Reduction Reauthorization Act.

It could be in the form of an OMB policy or bulletin, as A-130 or the many bulletins that come out. It could be in the form of a presidential memorandum to the heads of the cabinet departments and independent agencies. It could be in the form of a federal information processing standard issued by NIST, the National Information Standards.

So there are many formats and mediums in which those policies could get -- but once they are articulated and promulgated formally, then all agencies must comply with them.

CHAIRPERSON GOULD: Woody, would you kindly, for the benefit of, if nothing more, the tape, tell us what PIRA is?

MR. HORTON: The Public Information Resources Administration.

CHAIRPERSON GOULD: Thank you. I have a hard time with acronyms.

COMMISSIONER MASON: Just to follow up on this, as I understand it I know NTIS would be moved into this. What other ongoing activities would be transferred into this new organization?

MR. HORTON: The Federal Depository Library Program, but under a different name, the Federal Information Resources Libraries Program, and other functions of the Superintendent of Documents, also renamed and we hope strengthened, would be transferred into it. However, the direct printing and procurement of printing services support functions would not be transferred to PIRA, but would be retained in the new Legislative Information Resources Office.

COMMISSIONER ABRAMSON: When you talk about the amount of money that it would take to get this started, that would be in addition to the additional funding of these various activities?

MR. HORTON: Well, the Congress will have to take up the matter of estimating new budget authority. Usually the case is you have several services, you have new budget authority, and you have existing budget authority which is transferred from the existing base. So we did not have the time to get into the details of financing and funding, but I

would guess, as is usually the case with creating a new agency, that the appropriate committees -- in this case we are assuming that the Senate committee and the House committees along with the science committees would be intimately involved with this, and that they would have to take up the matter of funding and financing in terms of these details.

MR. WILLARD: I think that on every bill that gets reported out of any committee it has to carry along with it in the report a Congressional Budget Office estimate.

COMMISSIONER MASON: But couldn't this -- Sarah and I were talking about this earlier. Couldn't this bypass that process and come through an executive order?

MR. WILLARD: No, the Congress must create. There must be enabling, authorizing legislation.

CHAIRPERSON GOULD: Could I stop just for a moment and I think, because we are talking about substantial possible changes, I want to go back and I want to read something from the letter that we received from Senator McCain so you'll understand again why we are moving in the direction in which we are moving. He said: "The committee would like to request you to undertake a review of the reforms necessary for the federal government's information dissemination practices. At a minimum, this review should include assessments for the need for proposing new or revised laws, rules, regulations, missions and policies, modernizing organization structures and functions, so as to reflect greater emphasis on electronic information, planning, management, and control capabilities, and the need to consolidate, streamline, and simplify missions and functions to avoid or minimize unnecessary overlap and duplications."

So you see that we interpreted this, and I think that the panels also interpreted this, as think -- I hate to use this phrase, but -- think out of the box.

So with that, we have two hands. Whose hand came up first? I can't see around his.

MS. DAVIS: I'll defer to Fran.

CHAIRPERSON GOULD: Fran.

MR. BUCKLEY: One question in terms of this triumvirate of information agencies for each branch of government. How would you foresee that information would be available or accessible to people from all three branches of government? How is this going to crosscut and share?

MR. HORTON: There is -- I don't know whether it's ticked off in the excerpted document you have, but I think we thought there would be an inter-branch, not just an intergovernmental and inter-agency but an inter-branch, council that would address that problem. I think it does say inter-branch, intergovernmental, and inter-agency. So it was, the intention was it was the inter-branch council would be composed of members of

all three organizations, and they would meet periodically to discuss the kind of question you raised.

MS. RUSSELL: It was the assumption, Fran, that, for instance, the depository program as it is now, it's in one branch, but the other two branches have an obligation to feed information to and through it. So that it was not that there would be three depository programs run out of each branch. It was still one program, but instead of its being run in the legislative branch, being fed judicial and executive information, it would be in the executive branch, being fed legislative and judicial information.

MR. BUCKLEY: I just didn't quite understand. The way these three entities are posed, just in my brief reading, they seem to have such independent authority that if one was going to require information to be made accessible in any one program, perhaps the executive branch --

MS. RUSSELL: I think the dominant one really is the PIRA in the executive branch, which is then linked to the other two through the council so that they concur in guidelines and standards and things which are then promulgated by PIRA.

COMMISSIONER ABRAMSON: But that doesn't totally obviate the constitutional issue that we bumped into before with the legislative branch ordering the executive branch to let them do all their printing.

CHAIRPERSON GOULD: Bob, do you want to answer that question?

MR. WILLARD: I spent a lot of my time with lawyers as a result of working for a legal publishing company. I can assure you, there's nothing worse than a non-lawyer starting to talk lawyerly issues, but I'll do it anyhow.

The constitutional problem that presented itself and was somewhat awkwardly, in my estimation, addressed in the most recent efforts to revise Title 44 dealt with regulations that the Congress issued the would have affected executive branch activities. Now, Congress as part of the legislative process where a bill is introduced, passed, and then signed by the President, those rulings, those actions, legislation, law, can apply to all three branches. So there's nothing that would prevent the Congress from, if it were to see the wisdom of the proposal, enacting it to say in it that the three independent authorities that are dealing with their own internal needs also have this overarching public need to disseminate their information, and they could easily designate, and it would be our recommendation that they do designate, PIRA as the channel by which the other two branches follow that information out through the depository library, the new depository library system.

MR. HORTON: This is oftentimes called the lead agency, but it might as well be called the lead branch concept.

CHAIRPERSON GOULD: Denise, you had a question?

MS. DAVIS: I'm sorry, are you done answering?

MR. HORTON: Yes.

MS. DAVIS: In looking over Mr. McCain's key points of assessment, for lack of a better word, which you read, Martha, how is this going to reduce unnecessary overlap and duplication? How is this model going to improve what we currently have?

MR. HORTON: Anybody else want to try before I do?

(No response.)

MR. HORTON: Well, for one thing it's going to introduce a much higher degree of consistency, because hopefully PIRA will come up with a standard set of guidelines, standards, that can then be applied all across government, not just in one agency sort of thing. So in that sense, it's a reduction of unnecessary overlapping guidance when it comes to disseminating information to the public.

CHAIRPERSON GOULD: Would you like to make a comment, sir?

MR. NEEDLE: Yes, I'd like to make two comments.

CHAIRPERSON GOULD: Would you like to introduce yourself?

MR. NEEDLE: I'm sorry. I'm Steve Needle for the Office of the Director, NTIS. Just two comments.

Senator McCain as Chairman of the Senate Commerce Committee has basic oversight jurisdiction over NTIS and in that context his questions I think are quite appropriate. But to my knowledge, general jurisdiction over government information does not reside in this committee. It resides in the Government, the old Government Affairs Committee. You're going down the wrong committee is what I'm saying, if you're pursuing this, and I would urge you to make sure you bring in the right people, because there's nothing worse.

CHAIRPERSON GOULD: Are you referring to Senator Lieberman's committee? Because we also have the same request from Senator Lieberman.

MR. NEEDLE: But not the House.

CHAIRPERSON GOULD: But not the House. This comes strictly from the Senate.

MR. NEEDLE: The broader point I want to make is it seems to me that the Commission has done a wonderful job putting all of its publications, everything relevant to this activity, on the web site for people to comment on. There's no hint of anything like this

as I see in any of the four reports in anything I've heard this morning. You are now coming really at the eleventh hour, having spent weeks --

MR. NEAL: Can you speak up, please.

MR. NEEDLE: Yes.

CHAIRPERSON GOULD: Take one of the mikes.

MR. NEEDLE: I don't think I need it.

It seems to me that the Commission has for weeks been putting out information for public comment that is fairly narrow. It's been dealing with questions of an appropriation for NTIS of \$5 million. Nothing that I've seen in any of the documents that you've put on your web site for public comment hints at anything like this.

Is this really what you're -- does the Commission really feel that it has done enough homework around this proposal and given people enough opportunity to comment on it to include it in something that you're going forward with by December 15th?

COMMISSIONER ABRAMSON: Well, that's why we're having the meeting today, because a lot of us haven't seen it before today.

MR. NEEDLE: It's practically Thanksgiving and no one in the public has seen this. People here don't even seem to understand it.

VICE CHAIR CHALLINOR: We were given that, that deadline. We didn't construct the deadline.

MR. NEEDLE: What I'm saying is this is much broader than anything you've led the rest of us to expect.

MS. RUSSELL: Much of this is embedded in the panel reports. If you were listening this morning to what they were talking about about reducing duplication, about looking for an independent agency, a lot of these pieces have come from this and the other white papers, and they've been pulled together. But before the Commission could go further with this, it's something that needed to be debated and discussed with the Commission.

The drafting, as Woody said, if you look at the date, it was still being edited this morning.

CHAIRPERSON GOULD: Fran, you had something, and then Bob.

MR. BUCKLEY: I just wanted to comment as a panel member and so forth, our panel was very concerned about access to information and full coordination for improved access. We could not and did not agree on any centralized scheme, on a particular

scheme, even on this type of scheme. I know this type of scheme was proposed on panel one, but not -- there was no consensus for that, so it wasn't put into the report as a definite model. That was my understanding.

So I have to sort of agree with Steve. This proposal as a concept has not received broad review or consensus by panel members or the public to date.

CHAIRPERSON GOULD: Yes?

MR. URBACH: I'm delighted that NTIS and SupDocs have gotten together on this point.

(Laughter.)

COMMISSIONER ROBINSON: If we had to wait for everybody to agree for introducing legislation, members of Congress would never introduce anything. They will throw something in and see what happens, and you get the process going from there.

MR. URBACH: I wanted to make a point on this, the reaction of panel number one to this specific reorganization proposal. It was discussed in very general terms within the panel one environment. We did not go forward with it specifically, not because people didn't think it was a good idea, but about half the panel favored it and about half the panel said: Don't do this because it will detract from the basic recommendations we're making; it will take light away from the basic recommendations, and there's not a ghost's chance of it passing anyway, so let's not even go forward with it.

I don't think panel one reacted to it substantively. It in essence made a political judgment that we shouldn't go forward with this.

CHAIRPERSON GOULD: Bob.

MR. WILLARD: I think also I have to emphasize that what the Commission's work is to do is to create advice. We are not passing this. We are not saying this is what will be. This is -- if the Commission, if the members of the Commission agree, this will be the recommendation that on December 15th goes forward and then gets into the real milieu of public policymaking.

That's, although we clearly want to have as much input and as much consensus as possible, that doesn't constrain the members of the Commission. They may listen to all sorts of input and take an entirely contrary point of view. They wouldn't, practically speaking, but they could.

CHAIRPERSON GOULD: Yes, Nancy.

COMMISSIONER DAVENPORT: Woody, I'm taking the role as a citizen searching for information. Am I now going to check Firstgov, various agencies? How is this going to make my life better, or how is it going to make my life different than it currently is?

MR. HORTON: Well, hopefully when this single central comprehensive authoritative backup public information database is up and running, debugged, tested properly, that will be a much better option than having to run around and search individual agencies or even a variety of government-wide portals, which is now the case.

Now, I said if, when it's up and running. That was a long sentence.

COMMISSIONER DAVENPORT: That's right.

MR. HORTON: Because it's going to be quite some time before we reach that point.

MS. RUSSELL: Well, Woody didn't finish answering earlier the two biggest pieces that we talked about putting in this for SuDocs and NTIS. But he was also envisioning that Firstgov and a number of other kinds of things would be brought in there, so that truly we wouldn't have these things that were fragmented all over the place working on different standards, organized and funded different ways, and we would come up with some sort of a coherent home for these kinds of activities.

So although I don't think it shows in the excerpt, when we were making sort of our little internal list of the kinds of things that might consolidate Firstgov was among them, because obviously if you consolidate things like the NTIS database and the monthly catalogue and the kinds of documents they identify and you begin to look at things like Firstgov and other portals and things that could be harmonized, what you need is to have one, a beginning point for pulling all that together.

MS. WOLFF: I just have a comment following up on Fran and Steve.

CHAIRPERSON GOULD: Unfortunately, I have trouble seeing you.

MS. WOLFF: You have trouble seeing me. He's too tall.

One reason I am here is I have been a federal documents depository librarian for the last 15 years, and this issue is nothing new to those of us who have been involved. GPO knows the hassle, and what Fran and what Steve has pointed out, whenever the NCLIS study was created and the word went out that there was wanting for input from different public members, the intent from this study from what I get was not what is coming out with this recommendation.

I don't think that, in terms of all this configuration and reconfiguration -- and I know you were under a tight deadline and the deadline in the letter says that as well. But I think you are going to, if you are looking at the citizen and the user and the information professional, there's going to be -- and it may not matter to you, but there's going to be a big ripple in the water in terms of the concern.

CHAIRPERSON GOULD: I really hope there will be, not necessarily a ripple, but maybe even a wave.

MS. WOLFF: I think it'll be a big splash, yes.

CHAIRPERSON GOULD: I think you have to understand here that we need the input, and you can't get input until you put something out on the table to get people thinking. That's exactly what we are looking for, the type of feedback that we are getting. This will go up on the web site. We will have a lot of feedback from entities that are transparent to the group here today because they're out there watching what's on our web page and hopefully will feed back to us.

Yes.

MS. BOLT: This does raise an issue, though, in that I think panel one had a very specific recommendation about NTIS. Now, this is a separate recommendation, so that produces a conflict in the recommendations. How is this going to be addressed? I thought it said - I thought panel one said NTIS in Department of Commerce and give it more money.

MS. RUSSELL: But that's a recommendation to the Commission and, as Woody said in the beginning, these were inputs to the Commission, but didn't bind the Commission in any way. The Commission's going to make its own recommendation.

MS. BOLT: I realize that. So is the executive summary -- so there will be an executive summary that reports on the panel and then the separate, having taken all this, the Commission recommends?

COMMISSIONER ABRAMSON: The panel is only one, each panel is only one-quarter of one of the inputs, one of the many inputs that we've had.

MS. BOLT: I know, I know.

COMMISSIONER ABRAMSON: There's no suggestion that once this idea as an idea arrives at Congress that Congress couldn't have their own hearings, which would afford an opportunity for all kinds of discussion.

CHAIRPERSON GOULD: Payton.

MR. NEAL: There's one more level that I don't think we've touched upon here. Early on we envisioned, those of us who were working in the four separate panels, this so-called board of experts and each one of us contributed names of people that we thought were intimately involved in a lot of these issues. I contributed some lawyer names of people that I think intimately know the balance of power, Congressional, Justice Department issues -- separation of powers I should say.

When will this board of experts get -- second question, what will they get? And don't they then come back to the Commission before the Commission finally sends the document forward?

MR. HORTON: The board of experts was convened. Letters were sent out. They were invited to comment on the four panel reports. Approximately a third of the 14 did so. The others indicated they would prefer to wait to see the Commission's overall final report because they felt that, number one, the panel reports by and large did not go far enough and, secondly, they knew inevitably that there would be some changes when the Commission tried to put all the inputs together.

So it was really a case of a rationale of conserving their time.

MR. PAYTON: So if I hear what you've said, you will have the plus benefit of the final report being seen by the Commission and tentatively approved to go forward, along with some comments of the board of experts, which will give -- I don't say a "minority view" is the right terminology, but practicality and the difficulties of doing certain things and in a few cases maybe legality. That will be a document that will be in existence with the Commission's final report?

MR. WILLARD: May I clarify something. The "board of experts" may be a misnomer. It is a collection of experts. They will never meet as an organized body and take action as a body.

MR. HORTON: They have never met as a body. They are responding individually.

CHAIRPERSON GOULD: Peter.

MR. URBACH: I am not at all troubled by the fact that the first draft of the final NCLIS report is broader than the individual panel reports. It's supposed to be. One of the problems with the individual panels is that they had very narrow assignments. They fulfilled those assignments. Somebody has to come along afterwards and put it all together.

It turns out when it gets put together that it is broader than the sum of the individual pieces. I think that's a credit to what the NCLIS drafters have done. Clearly, the fifteenth recommendation, the last recommendation of panel one, "NTIS and Congress should consider combining SOD and NTIS and possibly a broader reorganization with other federal information activities," reads directly on the report that we now have before us.

As I say, I'm not at all bothered by that shift. I think that is correct and NCLIS is moving in the right direction.

I would, however, like to go back to the point that Denise made and broaden that a little bit. She asked the question, how does this reduce efficiency. I would broaden it a little and say, what's the hook that you use to sell this? NCLIS started this exercise with the

rather dramatic announcement of the Secretary of Commerce to close NTIS and that was the hook around which the whole exercise was mobilized. What's the hook to sell this much more broader solution?

CHAIRPERSON GOULD: Good question.

Kurt?

MR. MOLHOLM: I agree with 99 percent of what you've said, Peter. But my concern in this whole thing is not to concentrate on an organizational structure on whose delivering the final product. I'm much more interested in what it would do in setting some standards and developing some coherent, cohesive methods of just classifying it and defining what's there.

The policy to bring it together, the development of the taxonomy, ontology, or whatever phrase you want to use, is an important part and it doesn't make any difference how many organizations you have producing something if you don't have any organization to start with. I think that's the fundamental thing that has to be recognized. You have to recognize not only the operational stuff, but the stuff that brings some order to the chaos.

CHAIRPERSON GOULD: Yes, Abe.

COMMISSIONER ABRAMSON: I may be the only person who thinks that this has been too civil. But I'd be interested if there's anybody that absolutely hates this idea of a new agency.

MR. KELLEY: Well, let me ask a question. I haven't read the idea, so there's supposed to be a central database under PIRA that pulls everything together?

MR. HORTON: No, a backup of the information which the agencies produce in a single electronic --

MR. KELLEY: Duplicating everything held by the agencies?

MR. HORTON: That is correct.

MR. KELLEY: Wouldn't that tend to undercut the agencies?

MR. HORTON: "Duplicate" I might quarrel with a little bit, but go ahead.

MR. KELLEY: Okay, so it's a backup. But that backup would be used by the --

MR. HORTON: Yes.

MR. KELLEY: -- access?

MR. HORTON: That's right. There's nothing to prevent any member of the public going directly to an agency web site.

MR. KELLEY: Well, I'm just wondering if that wouldn't tend to undercut the agencies' user support or expertise. If you've got a defense question or a medical question that couldn't be handled by PIRA, you would have to go back to the agency.

MR. HORTON: As has always been the case for detailed technical. That is the case now.

CHAIRPERSON GOULD: Peter.

MR. HORTON: Even with the NTIS database, people still have to go back to the original agencies.

MR. URBACH: I would suggest a model. A model for PIRA's database could well be the relationship today between NTIS and DOD and NASA. NASA has its own database, DOD has its own database. You can access DOD content on the DOD database, on the DOD servers presumably. That doesn't preclude you from going to the broader umbrella database that is NTIS and accessing all of the agency, coming across all of the agency content.

That in turn doesn't preclude you from digging down, going back to DOD and getting more detailed information.

MR. KELLEY: But right now many central access services merely point to the information stored by agencies. In this case, you would replicate it and you would point to the central source.

MS. RUSSELL: I think when we talk about backup, Wayne, it's more like -- I think the model that SuDoc's is working on right now is really telling. There are things that agencies turn over to GPO to mount on GPO Access and otherwise.

MR. KELLEY: That's entirely different.

MS. RUSSELL: But there are other things that agencies have on their own sites that are merely linked. What GPO is beginning to do and what the recommendations are that NTIS also do, which is another place to create more redundancy and so this would take some of that away, was beginning to look at having a fallback position, so that at the point when the agency no longer wants to or is able to keep it up there is somewhere for it to still be accessed.

So GPO is beginning to do these agreements with different organizations to house things and guarantee that they'll be available.

MR. KELLEY: But that's if an agency doesn't want to store it GPO will do it.

MS. RUSSELL: Right.

MR. KELLEY: If the agency isn't able to continue to store it, they'll have a place to store it.

MS. RUSSELL: Not necessarily, because it could be distributed. But everything is in one bibliographic, if you will. When you talk about the umbrella, the NTIS database is an umbrella that links all the disparate agencies, much as MOCAT does at GPO.

MR. KELLEY: All the DTIC and the NTIS image documents would not be stored in this central database you're talking about?

MS. RUSSELL: No, they would be, because the NTIS core collection exists as a core collection, which would still be maintained operationally by this agency. So there would be documents that are deposited. But there would also be things that would remain on agency web sites and be accessible in that way.

COMMISSIONER ABRAMSON: Until they decided to not mount them.

MS. RUSSELL: But we'd have a plan for the fact that some agencies have an R and D mission that will cause them to keep things forever, others have very short fuses on the stuff they keep and very little economic resources to maintain it.

MR. KELLEY: Right, people who have the R and D mandate to keep stuff forever, you would not replicate that stuff on this central --

MS. RUSSELL: I don't think it's bound in there --

MR. URBACH: With today's technology, it isn't that important.

MS. RUSSELL: Right.

MR. MOLHOLM: Definitely it's duplicated now. I don't know how many times it's duplicated, because we send 15, 20,000 documents a year to NTIS. We're probably their largest contributor. We keep those documents ourselves for our own audience, plus others. And lord knows how many of those are being downloaded to local servers, just like Mimi was talking about.

I do know that probably 20,000 went to Beijing a couple or three weeks ago. But that's what "publicly available" is. You don't know any more.

You're absolutely right, Peter. The cost is not the main thing. The cost is in organizing it and developing that bibliographic record, not to store it any more.

CHAIRPERSON GOULD: Nancy and then Carol.

COMMISSIONER DAVENPORT: Woody, you're aware that GAO has been charged with doing a feasibility study of moving SuDocs from GPO to LC?

MR. HORTON: Yes.

COMMISSIONER DAVENPORT: Would the recommendations that you are making in this report hold fast regardless of where SuDoc is located?

MR. HORTON: Yes. I am not, of course, privy to what GAO is going to recommend.

COMMISSIONER DAVENPORT: Neither are we.

MR. HORTON: But our report, as you know, is scheduled to come out ahead of their reports. The short answer is --

COMMISSIONER DAVENPORT: Fran and I have been in contact with them about this. We do not know their findings. We know the questions they've asked so far, but not their findings.

MR. HORTON: Frankly, the GAO study has not influenced or what its potential results might be, unless I've missed some implication of your question.

COMMISSIONER DAVENPORT: I guess there are two implications to the question. One is it was a directive of the Appropriations Committee to do this.

MR. HORTON: Right, right.

COMMISSIONER DAVENPORT: That holds a lot of weight.

MR. HORTON: Yes.

COMMISSIONER DAVENPORT: It was also not a "should it be done." It was how. The GAO I think is probably broadening it a little bit because they feel responsible for doing that. But it was a very directed request.

So consequently, there would then be this piece of legislation. Assume for the moment that GAO recommends a transfer. That information goes back to the Appropriations Committee and they begin to work with the oversight committees to effect that. During that same time period, this piece of legislation comes to the Hill. It's a little bit different set of politics.

MR. HORTON: Well, as you know, Nancy, this wouldn't be the first time that the authorizing committees are going off in one direction and the appropriations committees are going off. I don't see there is any way we can -- we hope that they are all gentlemen and ladies and that they will somehow resolve that.

I do know we're going to work with the Hill closely, not just with Senate Government Affairs, Steve, but with the House side. And by the way, we did ask the House side if they would like to more formally, and they responded: No; we are willing to go along with the Senate. So this is not a case of overlooking the House at all.

MR. WILLARD: As a matter of fact, I think it should be pointed out you wrote to something like, was it, 85 staff directors and ranking staff directors, whatever they're called?

MR. HORTON: Yes.

MR. WILLARD: Telling them about it.

MR. HORTON: That is correct, every staff.

MS. RUSSELL: Every committee with jurisdiction.

MR. HORTON: In every committee of the Congress, and we have about 150 people, Congressional staffers, sitting in one group e-mail list that get apprised of this.

CHAIRPERSON GOULD: Carol.

MS. WATTS: I'm an interested citizen. I guess I was going to ask about the GAO process also, the implications of which you picked up. I was also going to mention, I have to agree -- I know this has been out. I know there will be many opportunities for public comment, but I don't think that, at least among the library community, people have seen this coming in this sense. I guess what I wonder is the need for standards, the need for ongoing inter-agency cooperation and mandates to really strengthen the way agencies disseminate information and share information.

I really applaud the work you all have done on this. I don't see the need to sit down a reorganization of government personally because I think what GPO does is consistent in what it performs. I think strengthening NTIS is great. Certainly everybody would love more appropriations, but I don't see where this is strengthening anything by what your reorganization proposes.

CHAIRPERSON GOULD: We have Fran and then Robby, Sarah, and Paulette.

MR. BUCKLEY: I'll start?

CHAIRPERSON GOULD: Yes, you'll start.

MR. BUCKLEY: I guess, Woody, I just tried to skim this briefly earlier, but you mentioned that this would involve moving a number of units together. Can you give us -- I'm not sure that it's really reflected in the summary. Can you give us a brief rundown on

what you were thinking of, because it was not just SuDocs, wherever it happened to be located, or NTIS, but are there other units you will be pulling out of LC or out of Archives into this new concept?

MR. HORTON: We were hoping as a part of the review process that LC and NARA would look at this and see whether in their view there are functions and programs that they think would more properly be located in PIRA than in their current organization. But we did not single them out.

For example, it has been argued that the federal records program, which is sometimes called the federal records information program, might have a happier home in PIRA than in the National Archives. We did not say that, however, in this report because we wanted the National Archives to look first at this and see how they felt about it.

So I think the short answer to your question, though, is that in this executive summary draft you see the main ones to be transferred are indeed the SuDocs, federal depository library, and the NTIS. Beyond that, in the case of all other information agencies and in the case of NARA and the Library of Congress, when we send them the report we're going to ask them to review it from the standpoint of telling us which functions and programs they feel should belong.

VOICE: What about the federal depository library program? What about our sales program? What about other sales programs around the government?

CHAIRPERSON GOULD: Because there are other comments, people are now chomping at the bit. So let's see. We have Robby, Sarah, Paulette, Peter.

COMMISSIONER ROBINSON: My only comment was, if there's going to be this GAO report and our report, whatever it looks like, at some point this will just be the genesis of all. There'll be enough running around, screaming and shouting on Capitol Hill for a year and a half, and maybe that's a good thing, because Congress hasn't been able to deal with all of this information overload and maybe this will force them to come to grips with what's happening with the thing.

I think, even though maybe X group doesn't want this or Y group doesn't want this, it's no reason to not send it up, get it going, get it stirred up, bring in the GAO report, bring in all this stuff.

I notice that one of the things we're changing is the Joint Committee on Printing. I remember about 20 years ago they tried to abolish the Joint Committee on Printing and there was a huge hue and cry. It hasn't done anything for about 30 years, but that's another matter.

MS. RUSSELL: It's all been abolished now.

CHAIRPERSON GOULD: Sarah.

MS. KADEEC: I just wanted to say a couple of quick things. One of them is that this whole idea of a central facility or a central information agency is not new. I think it started back with the Crawford report in, what was that, 1962 or something. It keeps coming up. I think many times when it comes up the fact that we have NTIS and we have the Superintendent of Documents and they were working very well for a long period of time kept Congress from even paying much attention to it and a lot of people, even in the information arena, felt that it was not needed.

I think that, since the electronic age is upon us and there is so much on the web now, that it has changed the operating environment. It certainly has for NTIS. I think it certainly has for GPO. So I think at this point it's probably the best time for us to start looking at is a single agency going to help take care of the information problems, because we know the other two that we've sort of leaned on all these years aren't going to work much longer in the same way.

I think also, when you look at what's been proposed -- and again, I know you haven't had much time to look at it -- if you think in terms of this being something like a central management agency -- we have General Services Administration, we have NARA, we have OPM, the Office of Personnel Management. These are considered central management agencies, unlike EPA and many of the other independent agencies that have a specific mission. That's entirely different than a central management agency.

So when you look at this, think in terms of an organization similar to that, which does have its fingers out in a lot of other areas around the federal government, certainly within the executive branch.

MR. HORTON: Let me say one thing before we go to questions. The Office of Personnel Management has the central government responsibility for policy oversight in the personnel area, but the public and the federal agencies know full well they don't have to worry too much about OPM running the day to day personnel activities of agencies. It just doesn't happen that way. And the Treasury Department has the official responsibility of finance and accounting for the government as a whole, but they don't tell the agencies and the public what to do, either.

My thought here was that if we have a central policy leadership and oversight office in the personnel area, human resources are a very critical asset, and if we have central policy leadership and oversight responsibility in the financial area, financial resources are a very critical asset. And if we have policy oversight and leadership responsibility in the property and in the natural resource areas, why should we not have it in the information resource area? Is information any less strategic or critical than are human resources, financial resources, property and physical resources and natural resources?

CHAIRPERSON GOULD: Paulette.

COMMISSIONER HOLAHAN: Well, I had a question. Is not one of the benefits of this proposal the potential for preservation of information? Isn't that one of the things that all the panels talked about as a very important aspect of what we're dealing with? And what vis a vis all these other organizations, what is the potential here from this proposal that would be greater for the preservation of information than in any other aspect?

MR. HORTON: PIRA would be expected to be the advocate for permanent public availability and accessibility.

COMMISSIONER HOLAHAN: And that would include information that could be taken off the web by others?

MR. HORTON: Yes indeed.

COMMISSIONER HOLAHAN: But if it is just a database, then we will also have the content?

MS. KADEC: It's not just a database, though. It's policy.

COMMISSIONER ABRAMSON: Mike, microphone.

MS. KADEC: How did I get into this? I don't know. I said it's not just the database. It's going to look at infrastructure. It certainly is going to have to look at how do you preserve media over a long period of time, what do you need to transition from one to the other, all those things that are in addition to any so-called database.

Again, a lot of that database will be pointers, I think.

COMMISSIONER HOLAHAN: So that the preservation aspect is something that is new to this concept and it would be very, very important.

CHAIRPERSON GOULD: Not everybody speak at once.

Judy, you wanted to respond to the question. Carol has a comment. Nancy has a comment, and then we're going to break for a few minutes for everybody to have some coffee and a cookie and come back, and also go down the hall.

MS. RUSSELL: Two things. There is embedded right now in the NTIS statute that they maintain their collection for permanent public availability. There is embedded right now in the depository statute that the materials distributed to the regional libraries remain available. So that concept is available in the statute.

COMMISSIONER HOLAHAN: But they're not all complete.

MS. RUSSELL: Right, exactly. What we're trying to do is create a method that would make it more complete. One of the things that's not in the draft that Woody and I have

been talking about -- and I apologize for the fact that we're springing this on Lew without having shown it to him, but we were hoping to talk to him next week and then bring it out in the open. But I don't expect you to follow all of this.

One of the things that has come up a number of times is the fact that for agencies there's an enormous burden of being under the American Technology Preeminence Act and the Depository Act and the Federal Records Act and other authorities that cause them to have to be sending things hither, thither, and yon, often in different formats, different timetables, and so forth.

So what our hope was was that there could be in this statute some linking between an agreement upon guidelines and standards, between PIRA and NARA, such that if an agency transferred a document to the PIRA for permanent public availability, which is really like a reference copy, not the permanent record retention copy, that through that transfer PIRA and NARA could agree upon a timetable and a set of standards where a permanent records copy would then be transferred from PIRA to NARA. So the agency would provide at once a copy or more copies. Whatever was needed in the way of copies, if you will, would be maintained for permanent public availability for reference and library type access.

Then there would be -- if NARA scheduled it for permanent records retention, it would also then be transferred to NARA. But the agency could do it once under one set of standards and guidelines and accomplish both things. In effect, if NTIS and SuDocs are consolidated, they would meet their American Technology Preeminence and their Depository Library obligations with that same transfer, and I think you'll have a much greater chance of getting compliance if what you have is I only have to do it once and then I'm good, I'm golden; from there on it's being taken care of.

So our hope was that in organizing this in that way that we could simplify, we could reduce the redundancy for the agencies of having to do different deposits in different places for different purposes, and we could ensure both, where appropriate, the permanent records retention through NARA and the permanent public availability through the auspices of this organization.

CHAIRPERSON GOULD: Carol.

MS. WATTS: It seems to me that -- I've worked in four agencies. In every one of them, it was a real mish-mash, what was preserved and what wasn't. If the concern was ongoing preservation of information or in the long term, it seems to me having things go straight to NARA, if you want to propose legislation, have the agencies transmit their publications straight to NARA would take care of that problem no matter how the tweaking is done in between, as opposed to establishing something new.

Another point is that I don't understand the concept of suddenly just saying we're changing the whole depository library program, which is -- I don't know if it's 12 or 1300 libraries, somewhere around there. I guess it's 1300.

COMMISSIONER ABRAMSON: 1362.

MS. WATTS: Thank you. I don't know what impact this would have. I don't know if anybody is thinking about what impact that would have on all these libraries out there and their ability to serve users, because we're talking about publication. There's a real vague idea of what publication is any more and what a web site contains from any agency. There are probably hundreds, of not thousands, of web sites and every agency puts information on them. What becomes "publication" these days is vague, just as all the other issues are vague.

So I guess I think there needs to be a real emphasis by this group -- perhaps there has been and I just don't know -- of getting out to those associations representing libraries and other constituencies, other than just putting it on a web site and saying, hey, everybody, you can read this.

I know many of you represent major groups and certainly fine institutions. But this is a really complicated thing that you're proposing. It may be visionary, but I also think it has tremendous impact.

CHAIRPERSON GOULD: Nancy.

MS. BOLT: Well, representing COSLA, I came with a lot of suggestions about the four panel reports. But I think sort of we've moved on from there to this sort of new law. But I think there are a couple of things that COSLA feels really important that I just want to put on right now that I think kind of fit.

One of them is that, whatever comes out of it, all of the aspects of access to government information be considered and provided for: certainly the collection, the centralization of access, the easy access by the public, the organization of it, the ability to get old print as well as new print and new-born digital information, all the preservation.

I haven't had a chance to read the law, but in that proposed law I would hope that all of those different aspects are preserved. One of the things that did come out of the panel reports was how much is still in books, and it's probably never going to go digital, but needs to be maintained for permanent public access and how important that is.

I guess one quick concern I think COSLA might have, and somebody else out here mentioned it as well, that is would the focus on the restructuring negate a focus on all of these other issues the get at real access? In fighting about where, which branch it goes under, will we lose access to old print material in the process? So I think that the access policy issues have got to be really predominant somewhere.

I want to also go back to something somebody else said, and that's the continued acknowledgment of the role of, and I think of a lot of it as librarians, in helping people find stuff. No matter how much we say, well, it's easy to find it on the web, it ain't, and

the role of interpreting access and helping people find information is so important. I think a lot of local libraries do that particularly.

I also want to say that I really think, having read all of these -- and I don't think anybody mentioned this on any of the panels -- we run a state documents program. What leapt to my mind immediately was how powerful it would be at the state level to have a really good model of the federal level for me to be able to go to the state legislature and say: See what the federal government did; they're still accessing old print and they have a way of capturing and helping us preserve new digital stuff that comes on.

So I think what you're talking about in the recommendations you are likely to make have a lot of implications going down to the local, to state, and certainly probably going up to international as well.

MR. HORTON: That is recommendation number five.

MS. BOLT: Oh, okay, good.

MR. HORTON: State and local.

MS. BOLT: Good.

CHAIRPERSON GOULD: I would like to suggest that we take about a ten minute break, and then, Peter, would you have your comments or questions ready when we come back, please. Thank you.

(Recess from 3:02 p.m. to 3:13 p.m.)

CHAIRPERSON GOULD: For those of you who may have come in a little late, if you have not signed in yet, there on the little clipboards next to Commissioner Abramson are the sign-in sheets. We would ask that you please sign in so that we have a record of everyone who is here.

I will also remind the Commissioners to fill out the paperwork we discussed earlier and get the sheets to Judy.

We are going to start. Peter, are you ready to either make your comments or ask your question?

MR. URBACH: Comment.

CHAIRPERSON GOULD: Yes, followed by Commissioner Challinor.

VICE CHAIR CHALLINOR: I just want to say something.

COMMISSIONER ABRAMSON: Followed by, followed by.

CHAIRPERSON GOULD: Hold that thought.

VICE CHAIR CHALLINOR: We have an expression in America, if it ain't broke don't fix it. We are faced with something that we were told was broke where it was and therefore we should think of, in childish language, think of some way to fix it. I think that it is an absolutely ideal opportunity to take the bigger picture, and I am really proud that we took the bigger picture. I think to simply have gone in, spent the money, done just a little tiny bit and said, well, let's move it here or there or do this or that, would have been very irresponsible of us.

I think that one thing about all the Commissioners, we don't work full-time, but we certainly do work. I think we really put out our responsibility for once, and I'm really proud of this report and I'm proud just because it took on more. It may not be perfect and there may be a lot of things that will come up later, but we'll fix it. But I think the original impetus of this, the impetus to do more than just fix a little bit, I'm very proud of it. That's what I want to say. I really am.

CHAIRPERSON GOULD: Peter.

MR. URBACH: There was considerable agreement among the panelists and I suspect among most of the NCLIS people that there are some specific serious problems that need to be fixed, among them questions of funding, questions of standards across government, questions of preservation, permanent access, conflicting authorities and statutes -- a wide range of problems that have been discussed and addressed.

I could envision all of these problems finding their way into an NCLIS report that goes to the Hill and gets totally ignored. This recommendation will not be ignored. It will focus light on the individual problems. It obviously needs to be fleshed out a great deal more and there are many uncertainties and there will no doubt through the process be many, many changes.

But a dramatic proposal like this will garner attention and may well lead to the resolution of many of the individual issues, even if it does not succeed as a broad change in organization.

There is one risk: The individual issues could get lost. At this point I have to say I'm willing to take that risk because I think this is a correct proposal and it should go forward and be fleshed out and be refined. But let NCLIS keep in mind that there are still some underlying issues that have to continue to be addressed.

CHAIRPERSON GOULD: Thank you.

Now, any other comments? Yes?

MR. MOLHOLM: I just have one. As I said, as part of our process I wrote a straw man for comment, and one of the panel members came back and said -- he misinterpreted; maybe he didn't -- that I was considering recommending something that's been recommended and he likened it to rule in a communist society, where all information is controlled at a single point.

Well, obviously we're not talking about the same type of information. But the context has to be recognized, that it is not governmental control of the knowledge base of everybody. It is just a way of organizing it so people can find it. But it has to be explained in a different way so people don't put it in the wrong context.

CHAIRPERSON GOULD: Thank you.

Any other comments?

(No response.)

CHAIRPERSON GOULD: Good heavens, silence.

COMMISSIONER ROBINSON: Well, Abe and I can do a little soft shoe.

CHAIRPERSON GOULD: Nancy.

MS. BOLT: I'll just do a couple of other COSLA comments. One of the things that COSLA people I talked to said for sure was thank you for taking on this complex task, thank you for including the state librarians on three of the four panels. While in some cases what you found wasn't new, it's the first time that a comprehensive look at all of this has been done and putting it all together in one place. So we begin with a lot of kudos to NCLIS for the work that's been done.

On the concerns side, in addition to some individual comments about the panel reports or comments that I don't think I need to make now, is a recognition of the tight timetable you're working under, but still a real hope that additional, as much additional public comment can be solicited as possible.

I'm taking incredibly detailed notes to share with my counterparts in COSLA so that any of them that want to comment on what's been said here today will be able to do that. So we really want to make sure that -- I guess if there's one real concern, it was that not enough members of the general public were actually on the panels and able to participate in some of the deliberation. So we hope that after, as part of preparing this draft, this opportunity will be allowed.

CHAIRPERSON GOULD: Thank you.

I also would like to note that we've been joined this afternoon by Mary Alice Balshe, who was a panel member, but I don't remember which panel.

MS. BALSHE: Panel four.

CHAIRPERSON GOULD: And is an official liaison for AALL.

MR. HORTON: Could I just make one comment? The Association of Public Data Users and the Americans Communicating Electronically have both agreed to give us comments on the report, so they have been tracking this also on the study page.

MS. BOLT: Hopefully not just the reports, but now these new developments as they go along.

MR. HORTON: Yes, absolutely.

CHAIRPERSON GOULD: Lynne, you have a comment or question?

MS. BRADLEY: Yes. I'd just like to echo what Nancy said, in that I'm sure that the broader ALA community -- and maybe Cindi or others have already made this comment, and I'm sorry I had to miss part of your meeting. But I think it has been a daunting challenge which you all have accepted.

I think that some other public debate would be very appropriate. If there are ways through midwinter and other venues that we can help, that is an opportunity that perhaps we can work on this together. There's a lot of interest from our association, of course. And good luck to us all, I guess.

CHAIRPERSON GOULD: Well, I think I have to say here that this is a good beginning and nothing else now until other people -- Carol, you want to say something?

MS. WATTS: Yes, I was just going to say that I think one thing that I think was touched on earlier and perhaps is in more detail in the report was the fact that agencies, all executive agencies that I'm aware of and I suspect the others as well, spend an inordinate amount of time trying to find information to help users. Even though we have libraries out there, we have the web, we have all kinds of resources, there still are constant challenges in the agencies to try to go back and find information that they produced at an earlier time or might even have made several hundred copies of for their own uses within the agency and they can't find it.

So I think one major sales point would be among the agencies to try to elicit more response from them to buy into this whole concept.

I also have one other comment, and that is, with all due respect, I think there are what you call central management kind of agencies. I don't think -- I know the debate about information being a commodity has been out for 30 years at least, but I don't think you can really put a central information kind of agency in the same context from my point of

view as a GSA that handles furniture and supplies, or an OPM that handles personnel matters in the government.

Those are really minor to the general American public, I would think. Perhaps information is a different critter. I think information is far more critical than that. So we may want to call it a commodity of sorts, but it's not likely who leases which buildings. It's far more critical and it's far more dangerous, and I could see where people would be afraid there would be a centralized control of information.

MR. HORTON: I hope you didn't hear me use the word "commodity." I've been trying to use the word "resource."

MS. WATTS: I don't think you did. I think another person did.

Thank you.

CHAIRPERSON GOULD: Actually, we refer to this as an "asset."

MS. WATTS: That's much better.

CHAIRPERSON GOULD: And it is a national asset.

VICE CHAIR CHALLINOR: New question.

MS. RUSSELL: I wanted to respond to one of the things you said, Carol, because I spoke at a meeting that Kurt held. Was that last week? I've lost track.

MR. MOLHOLM: Yes, it was, Thursday.

MS. RUSSELL: It was the DTIEC users meeting and one of the government contractors came up to me afterwards and said one of the things they thought we should not overlook in characterizing this whole issue was the fact that for many of these companies in the defense, speaking this narrowly in defense, but I think it comes out more broadly, that these companies have been bought and sold so many times that very often they can't find their historical contractor reports and that they rely on NTIS to get back to that material.

I think the depository program and NTIS both serve an enormous function in that way that we shouldn't lose sight of as being in effect, not an archive in the narrow sense of an archive, but a reference service centrally organized to help a variety of kinds of agencies and contractors, as well as the other people who want to benefit from their publications and information.

MR. MOLHOLM: I'd just like to make a comment on that, because quite often I see people taking a look at this like the duck placidly on the surface, paddling like hell underneath. We spend at least one and a half staff years just keeping track of that

organizational relationship and hierarchy, so we know who they are and where they've been. That's true with our thesaurus and a lot of other things.

There's a lot that goes on underneath that nobody recognizes, but it's a very important resource. And if they're not a central site like we are, they don't recognize that it's a need.

MS. RUSSELL: Because it's easy, because you have centralized it, they don't realize how much help it is and what would happen if they didn't have it.

CHAIRPERSON GOULD: Jack.

COMMISSIONER HIGHTOWER: Woody, we all know how important it is to package anything. If you're going to sell an item, you want to put it in the right package. Thinking about a name, how about "Office of Information Preservation and Distribution"? Everybody's going to say they're for preservation. We're going to get all the preservationists, and distribution. And get rid of the idea that it's going to be a propaganda office. That "Office of Information Preservation and Distribution" really defines what I think the goal is.

CHAIRPERSON GOULD: Something to take into consideration. Thank you, Jack.

Are there any other comments?

MR. HORTON: I'm reminded, Jack, that when the Congress created the Commission on Federal Paperwork they did at one point consider calling it the Commission on Information Management. And they said, oh, no, no, no, no.

COMMISSIONER HIGHTOWER: You don't manage information.

MR. HORTON: We've got to call it the Commission on Reducing Paperwork for the American People, and therefore we come to the Paperwork Reduction Act, which is of course the biggest mis -- I shouldn't say that. I better stop at that.

COMMISSIONER HIGHTOWER: No, you don't want to say it's the biggest misrepresentation, because that gives it too big a prize. That trophy belongs somewhere else, in many other places.

MR. HORTON: Like freedom of information.

CHAIRPERSON GOULD: Are there any other questions or comments that you would like to make to the Commission or by the Commissioners to the panels?

COMMISSIONER ABRAMSON: I guess I'm still kind of disappointed. I heard a couple people say they were surprised and one person say twice that they didn't think it was necessary, but I haven't had anybody say they hate this idea about the new agency. Somebody must hate it.

COMMISSIONER ROBINSON: The Indian wrestling will take place on Capitol Hill.

COMMISSIONER ABRAMSON: There are some people here that, along with surprise, could think it's a bad idea.

MR. KELLEY: Well, I think that part of it is that, personally I favor the idea and I'm glad the Commission has had the guts to float it, but if you want me to worry I can give plenty of worries. I'm worried about the depository library program, which gets \$30 million every year from Congress, and the librarians have good networks in Congress and have prevented some disastrous fund cuts and so forth. So now you put the depository program in a new agency in the executive branch which will get an appropriation, so now instead of fighting with the people who are doling out the money, the depository program's going to have to fight within the agency for limited resources, and members of Congress are not going to be much use in a bureaucracy like that.

So I can see the repository 30 million bucks being in danger. So if what you're saying is are there some people with serious worries, yes. But I think I agree with some of the other panel members who say probably the larger picture calls for taking the plunge.

COMMISSIONER ABRAMSON: I guess I understand what you're saying, but I'd guess I'd assume that no matter where it was resident that the depository library, federal depository library program, would still be structured such that each Representative could designate a library and each Senator.

MR. KELLEY: Well, I don't know.

CHAIRPERSON GOULD: It also expands the role of the Depository Library Council, which I think is extremely important, and that's buried in one of the recommendations.

MS. WOLFF: That would be my question, too, is where is that? Is it not in the excerpted key portions?

CHAIRPERSON GOULD: Under C, conclusions.

MS. WOLFF: Where it says "to revitalize the federal Depository Library Council"?

CHAIRPERSON GOULD: As an elite cadre.

MS. WOLFF: Which is currently a council appointed by the Public Printer of the United States, so in some ways you'd have to restructure and all that.

CHAIRPERSON GOULD: Yes, restructuring is part of the whole thing.

MS. WOLFF: Which is fine. But I guess my point is in this particular legislation there's nothing in the legislation that requires a federal Depository Library Council to be in existence.

CHAIRPERSON GOULD: There is in the detail that we've been working on.

MS. WOLFF: There is in the detail? Okay, that's good. Will this be on the web to comment on?

CHAIRPERSON GOULD: Oh, yes. Oh, yes. We want a lot of feedback. Unfortunately, we have a very tight timetable. Again, I have to say we had no control over the timetable.

One of the nice things about being --

MS. DAVIS: Could you repeat the deadline for comments, the date?

MR. HORTON: I used the phrase "Thanksgiving." The 26th of November.

MS. WOLFF: Is that going to be for the public as well?

MR. HORTON: No, no, that's just for the stakeholder group. Then we will revise the reports based on the feedback of the stakeholder groups and the panel chairs, and then we will publish the revised final report on the web for public review and comment.

MS. WOLFF: So there will be no comment before the final -- you're not asking for comments to the final report?

CHAIRPERSON GOULD: There's no final report yet.

MS. RUSSELL: There will be a draft final report available for public comment, but we're asking for a first round of comment from a group who's followed it more closely.

VICE CHAIR CHALLINOR: It's after Thanksgiving is what you want. The public comment will come after Thanksgiving.

MS. WOLFF: Okay.

VICE CHAIR CHALLINOR: But prior to Thanksgiving --

MS. WOLFF: Will there be any opportunity, if the public comment is any good, to revise it?

CHAIRPERSON GOULD: Yes. Why else would we do it? Why else are we going to do it?

MS. WOLFF: I don't know. I commented on the NTIS originally from NCLIS. It was one of those things that you comment on the NCLIS report for NTIS and I got a free paper copy of it, even though it was on the web, but it wasn't distributed to the depository libraries. So I was just trying to learn the process.

MS. RUSSELL: Excuse me. It was printed through the Government Printing Office. It was printed at the Government Printing Office.

MS. WOLFF: Oh, it was? Okay.

CHAIRPERSON GOULD: And it is being made available.

MS. WOLFF: I'm just getting ready for your wave to come. I just wanted to let you know.

CHAIRPERSON GOULD: Peter, Nancy, Jack.

MR. URBACH: Two very minor points. One, a lot of this discussion has focused on the pieces of this document that aren't there yet. It would be very helpful if the next iteration could include a brief summary of what's not there so that people don't have to wonder how come it's not. It'll come later.

The second point: The one thing I heard from this whole discussion that was perhaps a little bit of a sales point was the point that Woody made about the EU initiatives. That might be highlighted.

VICE CHAIR CHALLINOR: The what?

MR. URBACH: The European Community's initiative to move in a similar direction.

VICE CHAIR CHALLINOR: Absolutely, absolutely.

MR. URBACH: Which we are now following along behind. That could be turned into a sales point.

CHAIRPERSON GOULD: Yes, Nancy.

MS. BOLT: Two questions. How long will the document be available for public comment before you have to revise it and turn it in?

MR. HORTON: The 26th and December the 10th.

MS. BOLT: Then I guess it's in clarification of what you said. You said lots of discussion focused on the pieces that aren't there yet. Are you talking about the law or the reports?

MR. URBACH: Well, I'm not sure what I'm talking about. This whole stack of documents is not yet complete.

MS. BOLT: Yes.

MR. URBACH: A lot of what we're talking about this table were about the pieces that are missing. It will be good to have highlighted what's missing.

MR. URBACH: Well, that's sort of part of what I wanted to suggest, is two things: first of all, that where there's been a lot of concern expressed in the discussion that's not already addressed in the law, it probably might be helpful to address that in the draft, in the next draft of the law, so people can kind of see their concern addressed.

The second thing is that I would hope as you draft the law there'd be some separation between the principles that are trying to be accomplished in accessing information and the structure you've chosen to recommend to implement it. It goes back to not throwing the baby out with the bathwater, because I think the structure really is kind of the bathwater and, while it's important and you want it nice and hot and working, you still want to make sure that that baby is preserved.

I think separating them in different pieces of the law would allow Congress a better opportunity to tinker with the bathwater and keep the baby healthy.

MR. HORTON: The law will start with the purpose and the functions, and bringing up the rear will be the organization.

MS. RUSSELL: The report is going to do the recommendations, findings, and conclusions, and a lot of those say there should be this, there should be that, we need to fix this, we need to fix that. In effect, the public law or the draft law will be an appendix to the report that says, here's one way you might fix it.

We're expecting that this is probably going to be a multi-volume report because we will reprint all the panel reports. We have a number of white papers that we want to pick up, a bibliography that Sarah has developed, an analysis of public law relating to information policy. So there will be a report, there will be a draft law, and there's going to be then all of the sort of supporting pieces.

So it's going to be a fairly complex publication. Then we'll try to do some things like the executive summary and all to sort of focus attention, because we know that, particularly on the Hill, they will not read anything, probably anything even this long, let alone something that long (indicating).

MR. HORTON: I'd like to recommend, Madam Chairperson, that you say in the transmittal letter to the Congress that the Commission does not intend that the Congress acting on the recommendations be conditioned necessarily on accepting the draft legislation, or words to that effect. We certainly don't intend to box the Congress in.

CHAIRPERSON GOULD: We will be very careful in how we couch the language.

Before I lose another chair of a panel, I want to again thanks the chairs of the panels for the work that they have done.

(Applause.)

CHAIRPERSON GOULD: And through you, to the members of the panels who spent a lot of time, a lot of effort. They did this on a voluntary basis. You are to be commended for your commitment and we thank you for your work and your support.

COMMISSIONER HIGHTOWER: Let me just say one thing. With all the input that's going to come from the panels and from the public, I am sure that we're going to produce a thing of beauty. But let's not think it's going to be a joy forever, because we're going to turn it in to the Congress.

COMMISSIONER ABRAMSON: It's changed since you were there, hasn't it?

COMMISSIONER HIGHTOWER: What they come forth with is what we're going to live with. So we do the best we can, give them a thing of real beauty, but then we're going to live with what they pass.

CHAIRPERSON GOULD: Do the panel chairs have any last comments they would like to make?

(No response.)

CHAIRPERSON GOULD: Then I would ask the Commissioners if they have any comments. We'll start with you, Robby.

COMMISSIONER ROBINSON: No.

CHAIRPERSON GOULD: Nancy?

COMMISSIONER DAVENPORT: Pass, thank you.

COMMISSIONER GRIFFITHS: I don't have anything.

VICE CHAIR CHALLINOR: No.

CHAIRPERSON GOULD: Jack?

COMMISSIONER HIGHTOWER: I've said it.

CHAIRPERSON GOULD: Paulette?

COMMISSIONER HOLAHAN: No.

CHAIRPERSON GOULD: Abe?

COMMISSIONER ABRAMSON: I've kind of chaired as a committee person for the Commission this concern and dealt certainly on a weekly basis, often on a daily basis, with Woody. So of course I'm not surprised by any of this, but I'm also not displeased. I especially appreciate the work that's been done by the four panel chairs.

There have been some informal and casual questions about why no Commissioners were involved in the panel process. That was a decision that was made for all the right reasons. Chilling effect might be part of it, because some of us have preconceived ideas. I'm certainly glad that we decided to do it this way.

CHAIRPERSON GOULD: I think that I would like to remind everyone here that the Commission does not exist simply as a messenger carrying the comments of other people. The Commission will evaluate the suggestions and together we will reach our decisions and our recommendations, because -- and with this I echo the words of our former late Chair, Jeanne Simon -- we speak for the people and for their right to access the information that they own.

LIAISON COMMENTS

CHAIRPERSON GOULD: I'm going to ask the liaisons who are here.

MS. RUSSELL: Woody, would you give the hand- held to the liaisons and with that we'll pass it around.

CHAIRPERSON GOULD: Liaison comments, and you can comment on anything you wish.

MS. BOLT: I've already made I think most of my comments about the report we've been discussing all afternoon, so I will actually skip that right now. But we will be looking at - - I'll be sharing my notes primarily with Gladys Ann Wells, who's really our expert on this, and together we'll produce a letter that indicates what our position is.

Just a couple of things that COSLA is working on that I want to mention. The Library Services and Technology Act is up for reauthorization in about 18 months. We have worked with the American Library Association and with NCLIS and some other groups to form a group of people that are looking at a possible document to put forward as what we would like to see as a reauthorized document. Martha and Bob serve on that and are coming to it, so if I leave anything out you all can fill it in.

The committee is co-chaired by Sandy Cooper from COSLA and Chad Raymond, who is the past chair of the American Library Association's legislation committee. We have been working. We've met I think three or four times with very interesting argumentative exciting kinds of conversation. I think I can say with some certainty that we're coming to some slow consensus.

One consensus point is that the law itself ought not to see a radical change, but it's only been in place right now less than five years that Congress agreed on language and that we may want to tweak some of it, but that we do not want to remove the fact that it's basically a state-based program. We don't want to remove the fact that IMLS does have some leadership money that they can dispense.

We are not recommending that there be any set- asides for any kind of program at all, but that it be left as flexible as possible.

Another consensus is that the audience for LSTA money was at least doubled, if not tripled, with the reauthorization or the switch from LSCA to LSTA and the money was not. So the effort, instead of fighting among ourselves about what should or should not be in the law in terms of language, we want to coalesce around an increase, a sizable increase in money to support the program that exists. We've bandied around a number of different figures.

Along those lines, we are in a real effort to gather data and anecdotal stories about the impact of LSTA since that's what Congress seems to want to deal with the most. We are in the process of gathering information about how each state would spend triple the money that we have, as a way, kind of an informal needs assessment. My staff personally in Colorado have had great fun suggesting how we would do that.

We also are required by the law to do an in- depth evaluation every five years, and five states have volunteered to speed that up and do it based on three years' data -- Colorado, Arizona, North Carolina, Florida, and one more that's escaped me. We're doing this so that we can hopefully have some really in-depth accurate concrete impact information that we can share as part of this evaluation process. So those five states are working very hard on that.

Those are I think the main things that COSLA has been dealing with. We have a new President and that's Keith Fields from Massachusetts, and our new COSLA Vice President is from Alaska -- Karen Crane from Alaska. And I've been reappointed your liaison for the next two years, so I'm happy to be back and enjoy meeting with you.

Just to follow up on one thing, the person who did the three national studies on the impact of school libraries was Keith Lance, who heads the Library Research Service in Colorado. I'm very, very proud of that. Colorado has been working hard to help our superintendents become aware of that study, but the real success story is in Pennsylvania, where the governor had proposed \$400,000 for school library materials. As a result of

Keith's study, he was so impressed he raised that to \$4 million. We think that's really impact, and it's going to have a real beneficial result in school libraries.

So I will be sure that Keith is available to speak to you in April, and I'll probably come along as well.

COMMISSIONER ABRAMSON: Is that a block grant, by the way?

MS. BOLT: I don't know, I don't know the details of how it's going to be allocated. But he really, really believed in it. We're continuing to do research on this topic in Colorado as well.

CHAIRPERSON GOULD: I need to clarify one thing because you all are a federal agency. We are observers to the coalition and not members of it.

MS. BOLT: You're right, I'm misspoke. They come to our meetings and give us the benefit of their advice. Does that work?

CHAIRPERSON GOULD: I think I'll pass on the comment.

MS. BOLT: No, I must say it's really, really helpful having you all there. It really does - we appreciate it.

CHAIRPERSON GOULD: Thank you.

Lynne.

MS. BRADLEY: You'd think after 25 or 30 years I would learn not to go after Nancy, because that was a big part of our report, too. So just to say that Emily sends her regrets for not being able to be here today.

A lot of what we're working on, of course, is trying to figure out, as everybody else is, what the lay of the land would be and how a legislative agenda in terms of the larger library community fits into whatever scenario we can imagine.

Nancy has very, very adequately described the LSTA process, so stand by for more of that. We talked a little bit based on Rosalie's report on the other legislative initiatives. We believe that, both in terms of legislation, litigation, and other policy arenas, that the issues related to all kinds of intellectual property topics are going to be extremely important in the coming months and years, and that you'll be hearing even more about UCITA and database legislation, perhaps adjustment to the DMCA.

There's going to be major efforts or demands upon us to be involved in litigation based upon the kinds of legislation that has been passed and is now being implemented. So that whole ball of wax is something that we'll be discussing at midwinter and for many

months and years to come, and I'm sure that there'll be various mechanisms whereby we can keep communicating about those important issues.

We see that as very much a part of the digital divide, that even as folks have access to terminals or wires or whatever in terms of the technology, that if we're denying folks access to reasonably priced content then we're enhancing the digital divide, not supporting it.

I think we've touched on most of the things from ALA. As you know, midwinter is here and we'll look forward to meeting and discussing a lot of these issues with you all at that forum.

Emily sends her best. We'll see you at midwinter, and we'll be updating our own web site on some of these issues and we'll share that information with you as well. Thank you.

CHAIRPERSON GOULD: Thank you.

MS. BRADLEY: I'm sorry I was not here earlier, but let me just say that in the discussion on your earlier debate, we've put in comments and I know that a number of people within ALA are going to be active on the next go-around.

CHAIRPERSON GOULD: Good.

MS. BALSHE: Hi. I apologize for my very belated entry this afternoon, but Lynne and I were at a fairly important meeting on copyright issues, so I have not had time to either read your executive summary or your legislation, but I fully intend to. Certainly AALL will be coming forward with some comments.

As a member of panel four -- and I'm sorry Wayne left because he led us very well in our work, and I hope you all appreciate that report. Just two quick comments about that.

During the last Congress, seven library associations got together and we worked very hard for over two years in developing legislation to strengthen chapter 19 of Title 44. Those were very important efforts, based on certain principles to which all of the library associations and I'm sure the members of the Commission would adhere to.

That is, just in sum, that we believe that it is the primary responsibility of the federal government to ensure the entire life cycle of federal government information. I'm hoping that we'll see throughout your purposes and findings strong statements to that effect. I guess one of my concerns as we go through this process, because we're picking up a lot in the press, not only -- well, we're not picking up about permanent public access because we don't know about it and certainly the public is not attuned. But there are certainly other very important issues.

One that concerns me very much is -- and having served on panel four purposely to sort of think a little bit better about it -- in the digital environment we need to really think

about what the government role is and what the private sector role is. That I guess goes back to my firm commitment and that of my association that it is the government as the primary entity responsible for those roles. And I certainly support the diversity of additional value added services.

So as I read through your draft and your legislation, that's one of the things that I will be keenly watching for.

I thank you very much.

CHAIRPERSON GOULD: Yes, please.

MR. NEEDLE: I just want to say what a privilege it was to serve on panel one under Peter's leadership. The gist, I think the most important part of that panel's recommendation, was the idea that NTIS would now be giving information out without charge. That's of course a paradigm shift and underscores that we're not just -- the proposal is not just asking for appropriations, but certainly giving something back to the public that it does not now have.

It's never wise for government employees to comment on proposed legislation before their departments have had a chance to review it. I can say if the Department were to ask us, the senior management of NTIS believes that that proposal can work, notwithstanding there would be some revenue loss, of course, and we're prepared to try and make it work should the Commission adopt that recommendation.

Peter made a very good point here today also in saying that there is a danger that broad proposals can cause a loss of attention from some of the smaller ones. That was really in my mind when I raised some questions about the PIRA proposal.

But I just want to say, we at NTIS certainly are very grateful for the Commission's support. We certainly recognize that you have broader responsibilities to the public than just the care and feeding of NTIS. If my comments in any way suggested otherwise, I hope the Commission will accept my apologies.

CHAIRPERSON GOULD: There is no need to apologize for any comments that were made here today. We're here to listen and to have input and to then sit back and think about everything that we have heard, everything that we will hear, before we come to our final decisions on what kind of advice will go up to the Hill.

As I said before, we're not here just to pass through comments. We're here to listen, and I really want to say again thank you to everyone who came today, who stood up and spoke out.

If I don't let Bob have the microphone --

MR. WILLARD: I have to add something because Mary Alice said the words that keyed it and we missed it earlier. It's something that the Commission as an institution and Paulette as an individual can take some personal pride in. That is, the Commission has focused on the proper role of the public sector and the private sector in the dissemination of information. They did it in 1980, '81, '82. A report came out in '82.

As we started this whole process as a result of the McCain and Lieberman letters, we said -- I guess every agency makes the claim that this is not another study that's just going to sit on the shelf, but it's going to be used. So we went back and looked at that report, which has been sitting on the shelf for a number of years, and we found it was amazingly cogent and directed toward the topic that we're dealing with. The principles that were articulated in 1982 still hold tremendous validity even though the world has changed immensely from that time.

So we did the reasonable thing. We have republished it. The republication is already on our web site and the hard copy is due in another couple of weeks. Not only did we republish it, we also augmented it by comments by the chair of that task force 20 years later saying what his perspective is after the benefit of time. Bob Hayes, by the way, is the chairman.

We also added to it some important reference works like the language of the Paperwork Reduction Act, the language of OMB Circular A-130, what OTA put out when it did "Informing the Nation," and what the National Information Infrastructure Advisory Council said about public information.

So we missed it before when we were talking about publications. I think it will be another great document for people who are concerned about this issue to be able to pull off the shelf and say, if you want to know what the issues are when it comes to public information, here it is.

COMMISSIONER HOLAHAN: Isn't it nice it's still in existence and can be found.

VICE CHAIR CHALLINOR: And that it's been archived.

MR. WILLARD: There were only two copies left in our office.

CHAIRPERSON GOULD: It will be available to depository libraries in paper format, the regional libraries.

COMMISSIONER ABRAMSON: I have a last comment. Some of us are involved in libraries at the local level and we just had a very successful mill levy campaign. This is the only thing we used, is this bookmark. Each one of you can take one if you're involved in local libraries. We also bought three billboards in our community, there in the Hub of Five Valleys in western Montana. Three billboards and this and one ad in the newspaper and we got a 63 percent vote, and there hasn't been a mill levy passed for anything in a long time.

MR. MOLHOLM: No recount?

COMMISSIONER ABRAMSON: No recount.

One other thing. Some of you may be Lewis and Clark buffs. A friend of mine put this site up and he has lots of funding, including NEA and NEH and all of that. They're dedicated to putting the cutting edge technologies for web presentation on here. If you have a computer less than a year old, you probably can't access everything that's on here.

VICE CHAIR CHALLINOR: Gee, I can hardly wait not to access it.

COMMISSIONER ABRAMSON: But you could go to Fort Platt and you could take a tour of the whole thing or any one of the rooms. So it's kind of a test of the level of your computer's ability to work on the bleeding edge. But you may just have a young person that you're familiar with that's interested in this, so be sure and take one of these. The web site is right on the cover.

They also have a push technology involved so they update. They add something each month and they will between now and 2005, and they send you a little message about what they've added with a hot link to it. So it's something that might be instructive for things you're doing in the rest of your lives, too, about how to present.

CHAIRPERSON GOULD: Thank you for the advertising blurb.

I will at this point again thank everyone for their time, their effort, their input, and I will entertain a motion to adjourn.

VICE CHAIR CHALLINOR: I move the motion to adjourn. I need a second.

COMMISSIONER GRIFFITHS: I'll second.

CHAIRPERSON GOULD: All those?

(A show of hands.)

CHAIRPERSON GOULD: We are adjourned.

(Whereupon, at 3:58 p.m., the meeting was adjourned.)